



3 1761 11895304 1



Digitized by the Internet Archive
in 2024 with funding from
University of Toronto

<https://archive.org/details/31761118953041>

CAZON
XI
-D23

Government
Publications



108

No. 18

N° 18

ISSN 1180-2987

Legislative Assembly of Ontario

First Session, 36th Parliament

Assemblée législative de l'Ontario

Première session, 36^e législature

Official Report of Debates (Hansard)

Journal des débats (Hansard)

Monday 30 October 1995

Lundi 30 octobre 1995



Speaker
Honourable Allan K. McLean

Président
L'honorable Allan K. McLean

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

Hansard on your computer

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. For a brochure describing the service, call 416-325-3942.

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-7411.

Subscriptions

Subscription information may be obtained from: Sessional Subscription Service, Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur votre ordinateur

Le Journal des débats et d'autres documents de l'Assemblée législative pourront paraître sur l'écran de votre ordinateur personnel en quelques heures seulement après la séance. Pour obtenir une brochure décrivant le service, téléphoner au 416-325-3942.

Renseignements sur l'Index

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-7411.

Abonnements

Pour les abonnements, veuillez prendre contact avec le Service d'abonnement parlementaire, Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311 ou, sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 30 October 1995

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 30 octobre 1995

The House met at 1331.

Prayers.

MEMBERS' STATEMENTS

UNITÉ NATIONALE

M. Bernard Grandmaître (Ottawa-Est) : Dans quelques heures, il est fort probable que nous connaîtrons la réponse des Québécois à la question des séparatistes.

Cette dernière semaine en particulier, la population ontarienne vit des moments d'angoisse assez intenses en raison du référendum québécois. Elle est optimiste comme je le suis, mais elle entrevoit une possibilité que le peuple de la province où se trouve la population francophone la plus importante en nombre se dissocie du reste du Canada.

Une des plus importantes craintes est de faire partie des principales victimes d'une situation qu'elle ne désirait pas. Elle craint que la majorité oublie qu'elle a des droits historiques en Ontario. Elle craint qu'on oublie que les francophones au cours des siècles ont joué un rôle important dans la construction de ce chef-d'oeuvre de province.

Lorsque les Libéraux ont rédigé la Loi sur les services en français, ils ont pris bien soin de mentionner dans le préambule que le gouvernement reconnaissait la contribution historique des Franco-Ontariens et Franco-Ontariennes. Cette loi a été adoptée à l'unanimité.

Il est temps pour nous tous, mais pour le gouvernement d'abord et avant tout, de réaffirmer notre attachement à la population francophone de l'Ontario et de lui dire, «Quoi qu'il arrive, nous serons toujours des partenaires et des amis.»

INCINERATION

Ms Marilyn Churley (Riverdale) : Today I'm releasing an open letter to the Minister of Environment and Energy about her plans to reintroduce municipal solid waste incineration to Ontario.

While there are many reasons to oppose the burning of waste, there is one primary reason why New Democrats continue to support the current ban: Incineration poses an unacceptable threat to human health.

I agree that we must continue to find alternatives to dumping so-called waste into landfill sites.

Our province has taken great strides towards reducing, reusing and recycling, with the massive support of the Ontario public. Green industries have sprung up around our province, finding new uses for what we would formerly have considered garbage. We've begun to look at so-called waste as a resource. It makes good sense to continue in that direction.

Incineration, however, is a dangerous alternative to landfilling. Research shows that even the most modern incinerators release mercury, cadmium, dioxins, furans

and other toxic substances into our environment, and inevitably into our food and water supply. Dioxin, which many scientists believe has no safe dose, has been shown to cause birth defects, reproductive and immune system problems and cancer.

In short, there are no good reasons to lift the ban on solid waste incineration. The minister may well be looking for easy solutions to the garbage crisis, but let me assure her that incineration is not one of them. The human health risks are simply too great.

MABEL NEWMAN

Mr Ted Chudleigh (Halton North) : My statement brings to this House great tidings of happiness for a special personal achievement in the riding of Halton North.

In a time where centenarians are the fastest-growing segment of the North American population, Milton resident Mabel Newman, born October 25, 1895, adds to this honour roll as she turned 100 years old last Wednesday.

It can certainly be said that Mabel has lived a fruitful and productive life, a testament to this being that the Newmans owned and operated a fruit farm on Mississauga Road for many years. When asked to what she attributed to her longevity, Mabel said simply that her "belief in God, taking one day at a time and feeling comfortable in" her "surroundings have contributed to a long life."

I had the pleasure of attending a birthday celebration held in Mabel's honour at the Acton Legion Wednesday afternoon with many other residents of Halton North. Not unlike other treasures that we hold dear that have survived in Canada for over 100 years, Mabel manages to smile and talk about what a wonderful life she has had.

I ask members of the Legislature to please join me in recognizing another one of our country's national treasures and congratulate Halton North's newest centenarian, Mabel Newman.

HIGHWAY SAFETY

Mr Michael Gravelle (Port Arthur) : Over the past few weeks I, along with my caucus colleagues, have offered grave warnings to the Minister of Transportation over irresponsible cuts to road maintenance budgets which will affect services across the province this winter.

Despite our warnings the minister continues, stubbornly, I might add, to fail to grasp the impact of these cuts on northern Ontario and the real sense of fear that has gripped the residents of my riding and across the north.

If the minister refuses to listen to our concerns, perhaps he might heed the words of other northern Ontario residents since, after all, this government has committed itself to giving a greater ear to northerners and northern issues.

To the question, is there any room to cut the highway snow removal budget, people who live in the north had this to say: "Absolutely not. The minister should take a trip by car from the Sault to Thunder Bay or Hearst to Longlac during a snowstorm to see it at first hand." Another northerner had this to say, "When the government learns how to legislate snowfalls, then maybe they can reduce snow removal budgets."

The members of the northern Ontario Liberal caucus are listening to these concerns. I am pleased to inform the members of this House that we have distributed petitions across northern Ontario inviting residents to send a clear message to this minister and this government that downgrading of winter road maintenance will not be tolerated. We encourage our constituents to sign this petition, as I urge all northerners to join us in our efforts to ensure the safety of our highways.

VALLEY EAST YOUTH CENTRE

Ms Shelley Martel (Sudbury East): I want to make the Premier aware of an organization in Sudbury East which is a recent victim of the axe of this government.

The Valley East Youth Centre is one of the oldest supervised drop-in centres in Canada. For 12 years it has been a home away from home for thousands of area youth who otherwise might have roamed the streets or gotten into trouble with the law.

Staff provide bilingual counselling to youth, run a coordinated recreation program and help with school projects and homework. In conjunction with the Sudbury Board of Education, an alternative education program was run onsite this spring, and plans were under way to run the program again next semester. Youth Employment Service works out of the centre too, assisting hundreds of young people with résumé writing, job searches and interview techniques.

Now that the Tories have cancelled the Ministry of Community and Social Services community youth supports program, 90% of the centre's funding is gone and three and a half staff will be laid off. The ability to fund-raise, to keep the doors open, is also severely limited, as area bingos already have a five-year waiting list for new groups.

The board of directors believes that if Mike Harris would only talk to some of the youth, he would understand why the centre should be kept open, so they are inviting him to do just that when he's in Sudbury on November 24. They'd like him to come to the centre to meet since neither the board nor the staff nor the youth can afford to pay \$125 to get into the dinner where Mike Harris will be at. Hopefully, the Premier can make his way to Valley East, to the more humble building many youth call their home.

I'm delivering this invitation to the Premier today and we await his positive response.

1340

PEEL REGIONAL POLICE FORCE

Mrs Margaret Marland (Mississauga South): Residents of Peel region have long known that the Peel Regional Police Force provides superb law enforcement services to Brampton and Mississauga. Now the rest of the world is hearing about Peel's top cops.

On October 16, the International Association of Chiefs of Police and Motorola awarded Peel Regional Police the Webber Seavey Award for Quality in Law Enforcement. This is the highest agency and department award in the world for innovative, successful law enforcement programs. Peel Regional Police was honoured for its child abuse response program, which helps children through the justice system and into treatment with minimal personal trauma.

On October 2, Peel Regional Police earned another major award. It was the only government agency in Canada to receive a Canada Award for Excellence from the National Quality Institute. The NQI award is a benchmark for excellence in business, education, health care and government.

As Peel police chief Robert Lunney said: "It is the efforts of all the individual members of the Peel Regional Police that has enabled us to achieve this recognition. The high quality of their day-to-day performance is what professionalism is all about."

On behalf of my constituents, I am thrilled to congratulate the fine women and men on the Peel Regional Police Force who protect our community and enforce our laws.

AGRICULTURAL HALL OF FAME

Mr Pat Hoy (Essex-Kent): I'm pleased to inform the House that on November 1, the Kent County Agricultural Hall of Fame Association will hold its seventh annual induction ceremonies. This county agricultural hall of fame is the first of its kind to recognize the achievements and service of both men and women within the realm of agriculture.

The hall of fame is located in the Kent county building in Chatham, Ontario. The support of the Kent county council is appreciated by the agricultural hall of fame and the farming community of Kent in the operation of this unique local industry.

The first Deputy Minister of Agriculture, Mr Archibald Blue of Kent county, was inducted into the hall of fame in 1989 in its first year of operation.

My congratulations go to this year's inductees: T. Howard James, Wilfred Roy, Reginald Snobelen, Paul Weber, Clarence Wilson and Stanley Wonnacott. These men have demonstrated unselfish achievements within the realm of agriculture and service to the rural community within and beyond the borders of Kent county.

CENTRAL PHARMACY

Mr Floyd Laughren (Nickel Belt): I would like to draw to the members' attention an issue on which the Harris government is refusing to cooperate with Metropolitan Toronto. The government's inaction threatens the stability and integrity of our health care system and will place an added burden on taxpayers.

The government is forcing the privatization of Central Pharmacy, a pharmacy which is operated by the municipality of Metropolitan Toronto. Central Pharmacy is an integral part of Metro's community care system. The pharmacy works exclusively with the elderly, and consequently has the expertise to understand how the elderly consume drugs and is sensitive to their needs. This is important, as 20% of hospitalizations of the elderly are a

consequence of misappropriate use of drugs. The pharmacy encourages low drug-utilization rates. This ensures that drug use is controlled and directed at increasing overall health.

The pharmacy's total charges to ODB have declined consistently. The pharmacy has experienced a shortfall, and all that is required from the government is a commitment to allow it to charge a dispenser fee which is slightly higher than the hospital rate but still considerably lower than for-profit pharmacies. The government's inaction translates into increased hospitalization, misappropriate use of drugs and an overall increase in the cost to the Ministry of Health.

The quick solution of privatization may be enticing, but upon closer examination reveals layers of contradictions and a serious affront to Ontario's overall system of providing adequate health care.

UNITÉ NATIONALE NATIONAL UNITY

M. Jerry J. Ouellette (Oshawa) : Comme beaucoup d'entre nous aujourd'hui, l'histoire de ma famille sur terre d'Amérique remonte aussi loin que le deuxième bateau venu de France, en 1604—oui, le deuxième bateau venu de France en 1604—and as close as the 1920s, and also from, as most of our ridings are, the ethnically diverse community of Oshawa, the makeup of which includes Asian, British, Caribbean, French, German, Greek, Italian, Polish and of course Ukrainian, to name but a few.

We fully realize that the total sum of any whole is made up of the independent parts that give us all our individuality, and as such, the removal of any part takes away from the sum total pride of us all. Having said that, our Canada includes Quebec.

STATEMENTS BY THE MINISTRY AND RESPONSES LEGAL AID

Hon Charles Harnick (Attorney General, minister responsible for native affairs): I would like to provide all members with an update on recent developments surrounding the administration of the Ontario legal aid plan.

The government's commitment to legal aid is clear: We will ensure that justice is administered and that people in need receive legal representation.

As members may be aware, the government has held extensive discussions in recent weeks with the administrator of the plan, the Law Society of Upper Canada. These talks have been designed to address the significant financial problems facing the plan. Our goal has always been to find a solution that is in the best interests of the people of Ontario.

Under the memorandum of understanding signed by the previous government in 1994 and affirmed by me just last month, the taxpayers of Ontario will provide nearly \$900 million to legal services through the 1998-99 fiscal year.

So the issue is not really about money; it is about the law society's management of that money. Under the memorandum of understanding, the law society undertook to manage the plan within the guaranteed funding pro-

vided by the government. It also promised to implement the measures required to live within the funding it receives.

This government endorsed the MOU and supports the gradual reduction in costs contained within the agreement.

The law society has known since last spring that its bills would exceed the funds available for this year. The cost control measures announced to date fall considerably short of addressing the disparity between the accounts submitted by lawyers and the money available. The law society says that disparity could total more than \$60 million in the current year.

The law society has not acted in a timely way to bring its costs into line. As a result, lawyers are experiencing payment delays. This is again contrary to the MOU, under which the law society agreed to manage in such a way that the plan will pay lawyers within its payment guidelines.

In addition, the law society has asked for a written guarantee which could obligate the government to provide additional funds in order to address the plan's financial difficulties. That is simply asking the taxpayers of Ontario for a blank cheque in addition to the nearly \$900 million already guaranteed the plan under the memorandum. This I cannot and will not provide.

Let me be clear. The government will continue to honour its funding obligations to the legal aid plan under the memorandum of understanding. If anyone needs a written guarantee of financial support from the government, it is provided by the memorandum of understanding itself. At the same time, we fully expect the law society to honour its own commitment to manage the plan within the funding it receives.

Last month the government also initiated and urged the law society to participate in an independent review of the plan, to be conducted by Stanley Beck, the former dean of Osgoode Hall Law School. Late last week, however, the law society initiated legal proceedings to determine who is responsible for payment of any cost overrun that may be incurred by the plan.

Let me assure all members of the government's position. We will honour our funding commitments. During the period of the MOU we cannot and will not cover costs incurred by the law society beyond the amounts promised. When that memorandum runs out, we will set up a new memorandum or a new funding arrangement, and the work in progress will continue to be honoured.

Ontario already faces a provincial debt of nearly \$100 billion. Like taxpayers themselves, both the government and the law society must manage within their means.

I can assure Ontarians who need legal representation that their legal aid lawyers will be paid for services rendered under the memorandum of understanding, but the way in which lawyers are paid is the responsibility of the law society, not the government.

This government expects the law society to honour its professional and statutory responsibility to provide legal aid services to those in need. The law society shares with us an obligation to ensure the smooth operation of the

courts and access to justice by those in need. We need and want their input on this matter.

I will also be meeting representatives of the Canadian Bar Association—Ontario and the Criminal Lawyers Association of Ontario to further discuss these matters.

Let me assure all honourable members that this government remains committed to a legal aid plan that is efficient and accessible, and that operates within clear budgets that taxpayers can afford.

1350

Ms Annamarie Castrilli (Downsview): Let me begin by lamenting the way in which we receive ministers' statements. It seems to us in the opposition that, time after time, we have to wait until something like 30 seconds before we rise to receive the announcements that come from the other side. This is certainly not the way that responsible government should work, and I would encourage the government to proceed in a more timely fashion from here on.

Having said that, let me deal with the substance of the minister's statement. Minister, I am curious about why you would call this a statement; I find it to be a non-statement. This "clear commitment," as you call it, is anything but a clear commitment. In fact, I'm not sure it's even a commitment at all that your government has made.

I will remind you that the Common Sense Revolution promised to gut the legal aid plan by \$130 million. Then you said you would not honour the memorandum of understanding; now you say you will honour the memorandum of understanding. Frankly, we don't know what to believe. It's very difficult to understand what it is that you're saying to lawyers and to those who need access to the system of justice.

Minister, you say this is not about money, yet your entire speech deals with nothing but money. The reality is that you are forgetting that this is about accessibility and about fairness. It's about accessibility for the weakest and the poorest in our society to a very expensive and cumbersome judicial system, which I am sure you are well acquainted with. Secondly, it's about fairness to the providers of service to that group that would otherwise be excluded from having proper representation.

Now we have a mess, a mess that's been created, in large part, by the inaction of this government, and some would say a crisis may have been precipitated by this government. You've sat on the sidelines and, rather than deal directly with the law society and the bar, you've contented yourself largely with firing salvos through the press. That, sir, is not the way to conduct proper negotiations with the law society in the aid of the poorest and the weakest.

The law society has been forced to litigation, precisely because of the uncertainty which has been created and because it has not been able to come to conclusions with you. They do not feel that it is going to be possible, in the short term, to sit down with this government and find a solution.

I find it interesting that your statement today does in fact, at least, say that you are retreating from what, in

your Common Sense Revolution, was your plan to take \$130 million out of the legal aid plan. That is indeed welcome and I hope you will keep that commitment. I think that is very interesting indeed.

Let me encourage you to keep your other commitment in this paper: to meet with the benchers of the law society and the criminal bar. I hope it's not just lip-service this time. I hope you and your department will engage in some very meaningful negotiations with the law society.

Ontario has a very strong need for clear language, clear direction and clear solutions with respect to legal aid. We cannot afford to victimize the poorest in our society.

Mr James J. Bradley (St Catharines): What also was not mentioned as much as it should have been in this statement was the treatment of the various legal assistance clinics around the province. People will not call this legal aid, but in fact it is aid provided to disadvantaged people in our various communities. Certainly the Niagara North Community Legal Assistance clinic has rendered an excellent service to many in our community, and it would be our hope that the minister would continue to fund that in an appropriate way.

I'm also surprised that the minister did not mention the need for a magnetic resonance imager at the St Catharines General Hospital when he was making his statement today, because everyone in the province, at least in our part of the province, knows there's a need for an MRI machine. I ask the minister to speak to the Minister of Health about that.

Mrs Marion Boyd (London Centre): I must say that our party also is pleased to hear the minister back off the promise in the Common Sense Revolution to cut \$130 million out of the legal aid system, and to hear of their new commitment, after threats earlier this summer to ignore a memorandum of understanding which our government worked very hard with the law society to negotiate.

However, I think it is very clear that legal aid in Ontario is an important part of the whole aspect of access to justice, and it is extremely important that all of us in this community understand the importance of access to justice for everyone who is unable to afford representation.

One of the concerns I have about the statement the minister has made is the way in which negotiation has gone on with the various parts of the bar. The minister indicates that he wants input from lawyers and that he will seek input by meeting representatives of the Canadian Bar Association and the Criminal Lawyers Association.

I would also urge the minister to have meetings with the family bar and not to confine his meetings just to lawyers within the city of Metropolitan Toronto. The issues of access to legal aid and to legal services across the province differ greatly from community to community and they differ greatly depending upon the area of law being considered.

I would urge the minister very strongly to work with the family bar, because with the constitutional require-

ment for those who are accused under the Criminal Code to receive representation, very often the temptation of law societies is to cut access to legal services for those who are engaged in the family law area.

It is extremely important for us to understand that those are some of the most vulnerable in our society, people who, through no fault of their own, no decision of their own, find themselves with the full weight of the law holding in its hands their fate, and without representation it is a very serious matter. It's a serious matter for all of us because it imbalances the power in family law relationships, and the people who always lose when power is imbalanced are those who are most weak.

I would say to the minister that his commitment to continue to try and prevent a crisis situation in this area ought to be appreciated by us all, and I hope that commitment is real. The ups and downs of the last few months, the kinds of suggestions around suddenly taking over the plan and so on, have not been helpful in terms of ensuring that there is a climate in which genuine negotiation can take place.

When we were in government, we expressed similar concern around the management practices of the law society in dealing with this plan. The law society has now had over two years to look at management issues within the plan. The state of technological information, the availability of information, the comparability of information between one legal aid office and another is virtually non-existent.

It is extremely important that this plan come into the 1990s and be able to deal with the realities of information exchange and the kinds of regular controls on expenditure that one expects in a plan of this size. It is important for the ministry to be supporting and indeed leading the way in terms of that information exchange; that, as the minister is well aware, has not always been the position of the ministry itself, and I hope he will be encouraging that kind of participation.

There are many ways in which legal aid services can be offered and many changes in the legal system that can make it reasonable for us to expect lower and lower demand for legal services. I would urge the minister, in both the civil law area and in the criminal law area, to look at the reforms of the courts that have been studied over a number of years, to streamline the process, to try and encourage the law society to make decisions around its own limits on its own members in terms of earnings in the plan, in terms of the way the plan is used, as major means of controlling the costs and maintaining the MOU.

1400

ORAL QUESTIONS

CLOSURE OF PERTH JAIL

Mrs Lyn McLeod (Leader of the Opposition): My first question is for the Minister of Correctional Services. I would like to bring to the attention of the minister the grave concerns that one of his caucus members, the member for Perth, has about the potential closure of the jail in Stratford, in his riding. The Deputy Speaker, the member for Perth, has indicated publicly that he shares the anxieties and the fears of the municipal and law enforcement officials in his community.

The Stratford police chief says the closure of the jail will place further burdens on an already overburdened police force, since valued officers will have to spend their time driving prisoners to other communities. The quote from that police chief is: "We're already stretched to the limit with the number of personnel on the street during the daytime because of court security duty. The city would have to look at either reducing services or increasing personnel numbers."

I'm sure the member for Perth would have wanted the opportunity to raise this question himself but would not have been allowed to, so I ask the Minister for Correctional Services if he will assure the member for Perth that the jail in his community is not on the list of jails that you plan to close.

Hon Bob Runciman (Solicitor General and Minister of Correctional Services): The member for Perth has raised this issue with me and talked about a number of options. I'm not sure I can add anything to this issue in respect to—

Mr Bruce Crozier (Essex South): An answer would be helpful.

Hon Mr Runciman: I'll give you an answer. I've given you an answer in the past and it's not going to change; that's the point I'm trying to make.

We have not made any decisions with respect to jail closures. I indicated to your critic several weeks ago, when he expressed a concern about a jail in his riding, that I would consult with members on this side of the House and in the opposition parties with respect to the recommendations or the comments made by the Provincial Auditor back in 1993, when he expressed concern about the per diem costs of the very old jails in this province.

I'm following through on that commitment. I'm meeting with members of government and opposition this week. The Provincial Auditor, Mr Peters, will be present to discuss his report, and that will allow members to have an opportunity to provide me with feedback with respect to concerns they may have about Mr Peters's recommendations.

Mrs McLeod: Indeed the minister did, in response to a question from our critic, indicate that if at some time he was moving in this direction, he would communicate with members. He also says today that nothing has changed, but in fact something has changed. He refers to that when he says he is going to be meeting with members of this Legislature whose ridings will be affected by the closures of jails in their communities.

In fact, Minister, you have invited a total of 14 members to meetings this week to discuss the proposed closures of jails. There are 27 jails in this province. The fact that you have singled out 14 members to speak to on Thursday suggests to me that you have made decisions, that you have a short list of jails, that you have a target list, a hit list. I ask you to confirm that you do indeed have a short list of 14 jails you are proposing to close; that that is in fact the purpose of the meeting on Thursday.

Hon Mr Runciman: Well, you're damned if you do and you're damned if you don't.

Interjections.

The Speaker (Hon Allan K. McLean): Come to order. Order.

Interjections.

The Speaker: Will the members come to order, please.

Hon Mr Runciman: I indicated that I wanted to do things differently, in terms of consultation before decisions were taken. I would point out to the former government, who are making a lot of noise in this place today, that they closed a jail in Perth and they closed a jail, Camp Hillside, in ridings represented by then members of the opposition party, with no consultation whatsoever. The announcement was made.

I'm giving members of this House, on both sides of the Legislature, an opportunity to have input to convince me that there's merit in keeping these jails open. The 14 the Leader of the Opposition mentions are the 14 that were mentioned by the Provincial Auditor. That's the only implication in this, I say to the honourable member. Decisions have not been taken; this is not a hit list. I'm simply providing members an opportunity to have input and address the concerns of the Provincial Auditor.

Mrs McLeod: I come back to what the Minister of Correctional Services indeed told our member earlier, which is that if he decided he was moving in this direction he would communicate with the members affected. I suggest—and I would not be critical of him for communicating—that that is what he is doing on Thursday. He is not consulting; he is communicating about decisions that have been made.

I believe that the closure of those 14 jails could have an enormous impact on the safety of the communities in those 14 ridings: Prescott and Russell, in Cornwall, in Renfrew North, in Rainy River, in Timiskaming and Barrie and Brantford and Chatham and Lindsay, and the list goes on, because indeed we do have the 14 communities that would be affected by those decisions. And yes, I say to the member for Perth, his jail in Stratford is on the list.

We know that this minister did not consider the impact of closing the halfway houses when he slammed those doors shut and when many residents of the halfway houses were not in fact sent back to jail but were released into the communities without having served their terms because there was no room in the jails that the minister tried to return them to.

I want to know whether he has done any in-depth analysis of the impact of the closure of these 14 jails. Just a short time ago, we were hearing horror stories about people being let out on bail because of overcrowding in the jails. I want to know whether there will be even more people out on bail because our jails will be overcrowded when he takes the action of closing 14 more. Are you once again going to sacrifice the safety of communities to your cost-cutting measures?

Interjections.

Mr Mike Colle (Oakwood): Bracelets for everybody. No jails—everybody is going to be on the streets with a bracelet.

The Speaker: Order.

Hon Mr Runciman: I must say the response of the opposition over the last number of days with respect to this matter begs the question of whether indeed there's anything to pursue in respect to consultation with these folks.

I'm telling you, last week I sent out a letter inviting these members to participate in a true consultative exercise. I can understand why they don't understand this, because they never engaged in it themselves, neither one of those two parties. Never—never, never, never.

Interjections.

The Speaker: Order. The member for Oakwood was continuously out of order, and I won't warn him again.

Hon Mr Runciman: A day or two after I sent the letter with respect to the meetings this week, they were on the fax wires across the province to the media, to the public service employees unions. You know, when they get up and say, "Let's talk, let me have input before you make this kind of decision that impacts my community," and I say, "Yes, I want to hear what you have to say," and then the next day they're faxing out to the unions, to the media, and raising questions in this House, I want to say that I want to consult and I want to have your input, but continue along these lines and we'll have to re-evaluate that.

The Speaker: New question, the leader of the official opposition.

Interjections.

The Speaker: Order. Come to order.

Mrs McLeod: Mr Speaker, I assure you and the minister that I will never hesitate to ask questions affecting public safety, particularly of this minister, who shut down 25 halfway houses with no notice at all.

The Speaker: Do you have a new question?

1410

ONTARIO FILM INDUSTRY

Mrs Lyn McLeod (Leader of the Opposition): My second question is for the Minister of Culture. Minister, I'd like to go back to an issue that we tried to raise with you last week, the issue of the misguided cuts in funding that you've made to the Ontario Film Development Corp. Now, you might have thought these were just routine cuts in your list of cost-cutting directions, but in fact those are jobs that you are cutting in the province of Ontario, and that's why we raised the question.

We asked why you would cut funding to the film development corporation and you recited a list of the funding that the province provides to other cultural industries that have absolutely nothing to do with the film development corporation. It was clear that this minister had no idea of what the film development corporation does or the importance of the Ontario film investment program.

Minister, the reality is that you have abruptly cut one third of the OFDC's funding, and one of the main programs that's run by this agency is the Ontario film investment program, which provides incentives for independent film and television production in Ontario. That's what we're concerned about.

It's a successful program. For every dollar spent by the province, there are revenues of \$1.23. Given that this program actually brings in much-needed revenue for Ontario—you actually make money on this, Minister—can you explain why you've cut the funding?

Hon Marilyn Mushinski (Minister of Citizenship, Culture and Recreation): Yes, to the Leader of the Opposition, I'm quite happy to explain why we have made this decision. We've made this decision because government spending has doubled in the last 10 years. We've made this decision because this spending crisis left by the previous government required immediate action. We've made this decision because if we had not moved to make these cuts immediately, we would be looking at a deficit of more than \$10.9 billion and a future increase in the costs of servicing our debt.

Unless and until we can deal with the issue of the debt, there will be no future for the film development industry and there will be no jobs for our children and our grandchildren.

Mrs McLeod: I understand that there is one rote answer to every question we ask, but on this one the mantra simply doesn't work. Minister, you failed to hear the fact study done by an independent auditor: that for every dollar of investment this program brings into government \$1.23. You don't save money by cutting it; you lose money by cutting it. On top of that, this program supports 2,000 high-value, high-skilled jobs per year. Each government investment dollar stimulates \$8.30 in domestic film and TV production in Ontario, and that means jobs.

Ontario, in case your briefing note doesn't mention this, is now the third-largest production centre in North America. The impact of the industry is approaching \$1 billion annually and the potential for growth is enormous. In fact, it is the one industry that produced jobs during the recession. There's a huge infrastructure that is built in this province to support the industry. It took a long time to build. We'll lose it all if you cut this program, and that is more jobs.

Minister, your slash-and-burn ideology, which makes no sense with this program, is threatening a proven job creator in the province. How could you cut funding to a proven job creator like the Ontario film investment corporation? Did you have no idea, no idea at all that this was producing jobs and that it was making money for you?

Hon Ms Mushinski: Let me say again that if this government believed in the voodoo economics of the previous government, which honestly believed that government assistance did indeed create jobs, then everybody in this province today would have two jobs.

Mrs McLeod: This is an ideological blindness that makes absolutely no sense at all. Minister, I realize that your government ideology says you don't ever put any investment into anything that creates a job, but this one works. It works financially; it creates jobs. The fact is that other provinces, like Alberta and BC, have similar programs, and if you cut the program here, we will lose those jobs to other provinces that are ready to provide the support. Since funding was frozen in July, Minister, six productions with a production value of \$8 million have

left the province or have been halted, and that means we've already lost hundreds of jobs.

The province has traditionally announced its funding for the OFIP program, this investment program, in the fall. That's necessary because the film industry obviously has to plan its productions in advance.

Minister, I'd suggest to you we cannot afford to lose any other productions or jobs. Will you send a signal to the film industry today by giving us your commitment that the Ontario film investment program will continue, and will you tell us what next year's funding for this program will be?

Hon Ms Mushinski: Again, let me reiterate that unless and until this government can get its own financial house in order, there will be no film development corporation for the future. We have to deal with the debt, we have to get our financial house in order so that we can get jobs back into this province. To continually rely on government spending to create those jobs hasn't worked in the past, isn't going to work in the future, and unless and until we balance our budget, in conjunction with getting our fiscal house in order, there will be no future for the film development board or any jobs for my children and my grandchildren.

TAX REDUCTION

Ms Frances Lankin (Beaches-Woodbine): My question is to the Minister of Finance. On October 18, the leader of our party placed a question to the Premier. The question, the gist of it, was if the Premier would tell us if he was still committed, his government was still committed, to the size and the timing of the tax break, the 30% tax break and then the 15% in the full year.

In fact, he went on at some great length to say, "Irrespective of what happens to the revenue situation, what happens to the changes in the country, is the Premier saying, regardless of what happens on the revenue side, regardless of what takes place in the economy, that that commitment's good, that he's not going to change that commitment?" And the answer from the Premier was: "The answer is quite simply yes. It's what we ran on, it's what we're committed to and it's what we will do."

The Finance minister will know in the Globe on the weekend there was an article which suggested that perhaps he had a different view of that and that he may think the effect the large income tax cut would have on the deficit could be mitigated by delaying the timing of the tax decrease. I wonder if the Minister of Finance could clarify for us today if the commitment his Premier made last week in this House is still a good one or in fact is he changing the government's position by his comments on Friday.

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): I indicated in my brief discussion with Mr Mittelstaedt on Friday that indeed we were committed to delivering on our tax cut, that during the first budget of our government in the first fiscal year, 1996-97, we indeed would be enunciating the first step in that tax cut; however, we had not decided yet as to the implementation date.

The honourable member will know that any time there is a budget and there is a tax increase or, which is very

rare for their two governments, a tax decrease, it doesn't happen on the exact moment in time that you announce the budget.

Ms Lankin: By the minister's answers he's also admitting something that the other side refused to admit for the last three or four weeks in this House, that there's actually a connection between the loss in revenues from the tax cut and the deficit numbers you have to achieve in the budget, and we're pleased to see that.

My second question to the minister is to ask him if he would tell the House what his projected cost of the lost revenues from the fully mature implementation of his 30% income tax cut would be.

Hon Mr Eves: I would say to the honourable member, as I said to her colleague the member for Scarborough-Agincourt last week, what they fail to take into account is that reductions in provincial income tax in the province of Ontario will indeed lead to increased economic activity. More people will be working. More people will be paying taxes. That will gain financial security for the province of Ontario, not lose it.

Ms Lankin: I notice that the minister didn't answer the question, but his answer did say something to me. If in fact cutting the taxes is going to spur economic growth and going to get us back on track, why isn't he doing it earlier, rather than later, as he is suggesting? Let's get a consistent answer.

1420

I think the reason the minister won't answer my question about the cost of the tax cut is because we've been told by Finance officials that the Common Sense Revolution estimation of \$4.8 billion is in fact underestimated by about \$2 billion. It is going to be between \$6 billion and \$7 billion.

Will the minister now be clear with us on the connection between the lost revenues from slower economic growth of about \$3 billion and the lost additional money from the fully matured cost of the tax cut of about \$2 billion, and confirm that this means that if he's going to meet his deficit targets, he's going to have to take an extra \$5 billion in cuts to services to the people of this province?

Hon Mr Eves: The honourable member will know—she may not know or doesn't want to hear—that that is simply not true. Reductions in income taxes in the province of Ontario will leave more money in the hands of hardworking, taxpaying Ontarians.

I have a few quotes that the honourable member may be interested in. "Ontarians have hit a tax wall and simply can't afford to pay any more taxes."

Hon David Johnson (Chair of the Management Board of Cabinet): Who said that?

Hon Mr Eves: The MPP for Essex-Kent.

"Businesses are going to go where lower taxes are over the long term. That is what the Harris government is trying to do. It will help." University of Toronto professor Jack Carr.

"Echoing the same view"—that tax cuts would help—"some economists have started to argue that the recession

shows just how badly tax cuts are needed to get Ontario going again." Toronto Star editorial, October 19.

Why don't you understand—

Interjection: Why don't you bring it in now?

Hon Mr Eves: Because we're not introducing a budget now. I thought we'd been through this. In our first budget, we will implement the tax cuts. Unlike the previous Treasurer, however, we will not retroactively increase taxes when we introduce a budget.

SOCIAL ASSISTANCE

Mr David S. Cooke (Windsor-Riverside): My question is to the Minister of Community and Social Services.

Interjections.

Mr Cooke: We didn't want him to feel left out. On October 3, the Minister of Community and Social Services promised the House: "We are prepared to ensure that there is...flexibility in the system to make sure that everybody can earn back the difference without clawback.... I will give this House the assurance that everybody will be able to earn without clawback the difference between the old rate and the new rate."

The cuts to general welfare assistance have been made, and tomorrow, single parents receiving social assistance will see their benefits cut by 22%. They want to know, Minister, have the STEP exemptions been made? Have you made good on that promise?

Hon David H. Tsubouchi (Minister of Community and Social Services): As I explained before in the House, we have had a two-phase approach to this. The first one is we've had to address the huge problem we inherited from the previous government. The second phase is to start to give people the opportunity, once we transform the system.

The problem with the system has been that it's been one of a cycle dependency. What we are trying to do right now is convert that into one of self-sufficiency. So what I said held true. We are working on that as part of our promise to transform the system.

Mr Cooke: The minister may be receiving lessons on how to answer a question, but I can tell him, on that one, that's not how you answer it.

Tomorrow, new rates go into effect for single parents. You made a commitment in this House that there would be no clawback. Your staff told us an hour ago that there have been no changes to STEP since you made that commitment to the member from the Liberal Party on October 3.

We want to know, are you going to fulfil the promise that there will be no clawback or not? What steps have you taken to make sure that commitment and the commitment of your Premier is in place for tomorrow when the new rates go into effect for single parents?

Hon Mr Tsubouchi: I've already indicated to the House that we will give people the opportunity to earn back the difference between the old and new base rates.

Mr Speaker, I'll tell you something: The problem here once again—and I'm sorry that the honourable member has to stand up and he's got to pretend to be so self-

righteous at this point in time. We're missing the whole point again, and as the Leader of the Opposition indicated earlier on in a list—I guess we're in a list day today, but I want to indicate something to the people of Ontario right now: In 1985, the welfare caseload went up 9.8%; in 1986, it went up 11.3%; in 1987, another 16.4%; in 1988, another 13.3%; in 1989, another 19.9%; in 1990—this is a great year—37.2%.

The Speaker (Hon Allan K. McLean): Wrap up your answer, please.

Hon Mr Tsubouchi: It gets better: in 1991, 42.5%; in 1992—this gets a little better—20.7%; in 1993—this is a great year—7.5%.

The Speaker: Wrap up your answer.

Hon Mr Tsubouchi: In 1994, because we were coming into an election, it came down to 1.7%.

The whole point of this is that the system's broken. At least this government has the courage to try to transform this system and to give people the opportunity once again to work.

Mr Cooke: The minister made a commitment to this House and to the people of the province that there would not be a clawback. You may have been taught, with your \$1,200-a-day image specialist, to quote back numbers from 10 years ago, but your credibility, what's left of it—and it's not much—is on the line. You made a commitment to the House that there would not be clawbacks. Are you going to fulfil that commitment or were you telling a lie to this House? What is the truth? Were you lying or were you telling the truth?

Hon Mr Tsubouchi: I guess there are a couple of things that I really should address. Apparently, the member for Windsor-Riverside doesn't remember what happened last week when I indicated that this particular company has been retained by the ministry to deal with our long-term programs, to ensure a two-way dialogue to make sure that we implement workfare properly. I resent the fact that this member keeps on incorrectly, and in such an unfair manner, referring to this matter where he has clearly had an answer.

Mr Speaker, I'm going to tell you something right now: I've already answered the question the very first time the member asked the question. I want to close by saying that some might say that this is a very wise man who was quoted here: "Welfare has, for some, become a permanent source of income and a permanent way of life. That is something that needs to be changed. Welfare should not be a permanent destination. It should be a point of transition. The objective of welfare administration should be to reduce welfare rolls. Our social security system needs to be reformed."

The honourable member Bob Rae indicated that. That was his quotation. At least this government has the courage to try to change the welfare system to be responsible to the people of Ontario, the working people of this province.

WORKFARE

Mr Dominic Agostino (Hamilton East): My question is also to the Minister of Community and Social Services. Minister, in the Common Sense Revolution—last week in

the House you have reconfirmed your commitment to carrying out a workfare program in the province of Ontario, a program that is called, I understand, Ontario Works, and is part of the guaranteed support plan that Mr John Rabeau is now working on.

You also have put a \$500-million figure to workfare. Minister, can you explain to the House how you arrived at a \$500-million figure and how you expect to put 494,000 people into workfare at a cost of about \$1,000 per individual? How did you get to that figure of \$500 million to implement workfare?

Hon David H. Tsubouchi (Minister of Community and Social Services): I welcome back the member from Hamilton East; I missed him on Thursday when he wasn't here. It was unfortunate he wasn't here on Thursday, because I answered part of the question on Thursday.

1430

Clearly, the member for Hamilton East is very fond of telling me how to run my ministry and do my job. I think it's about time that the member for Hamilton East realized what his job is as a critic in the official opposition: It is to bring up points of interest, points that are of concern to the people of Ontario; it is not to be running amok out there in the community, creating an atmosphere of fear.

I'm going to indicate here—this is the article in which the member for Hamilton East was quoted in the Toronto Sun. He is indicating first of all here—and I don't know where he's getting his figures, because I believe the member for Hamilton East has never been to the land of arithmetic.

The Speaker (Hon Allan K. McLean): Could you wrap up your answer, please.

Hon Mr Tsubouchi: Anyway, it says here, "The province's plan to axe 13,000 civil servants means there wouldn't be anybody to administer a \$1-billion scheme."

Mr David S. Cooke (Windsor-Riverside): Sit him down, Speaker. He doesn't tell the truth in the House anyway.

The Speaker: I would ask the honourable member for Windsor-Riverside if he'd mind withdrawing the word "liar."

Mr Cooke: Mr Speaker, I withdraw.

Hon Mr Tsubouchi: The member for Hamilton East is indicating there are 13,000 civil servants—we only have 2,100 front-line people administering the welfare system, so I don't know where he gets 13,000 people from, unless he's out there to scare the community.

The Speaker: The question has been answered. Supplementary.

Mr Agostino: First of all, I'd be happy to compare my attendance in the House to the minister's. If you want to look at the number of days you have missed in the House and compare it to the number of days I've missed, I think you'll look pretty bad in there.

Secondly, the minister likes to talk about fear. The minister wants to talk about fear. Minister, you're the one who stopped people earning back what they have been

cut. You're the one who signed the regulations that cut off 115,000 people, and then we pointed out, and the media pointed out, the mistake and you backtracked. You're the one who has cut 17,000 seniors and disabled from welfare benefits. Don't tell me about fear, because you're causing the real fear that is happening out there.

If you'll answer the question now, Mr Minister, the program that you're talking about—there's a program in New Brunswick called New Brunswick Works. That program cost \$59,000 per individual to implement. That is the closest formula we have in Canada to your workfare. Based on that, it would cost your government \$2.9 billion to put the 494,000 people that you're going to enrol into workfare into the system; not the \$500 million you talk about, but \$2.9 billion.

The Speaker: Put your question, please.

Mr Agostino: Mr Minister, I ask you again, since you didn't answer the first one—I appreciate that the consultants addressed some advice to you; they have somehow captured your imagination here, but if you can answer the question—how did you arrive at the \$500-million figure and how can you guarantee this House that you're going to put 494,000 people into workfare at \$1,000 a person when the closest experience in New Brunswick is \$59,000?

The Speaker: The question has been asked.

Hon Mr Tsubouchi: Unlike the tax-and-spend policies of my friend over there, we're looking for economic and cost-efficient ways in which to implement workfare. Frankly, I don't know where he's getting his ideas from; probably the same place he gets most of his ideas.

I am going to continue here for a second, because my friend over there has also said that this whole thing is absurd, that there is an enormous up-front cost, including thousands of workers—and then of course my friend refers to me as Superman.

Quite frankly, we are going to do things in a very efficient way. It's our intention to make sure people have the opportunity to work and get them off the welfare rolls, as the prior government should have done.

But if this gentleman over here refers to me as Superman, I think he's probably Clark Kent, walking around in disguise, hoping no one recognizes who he really is.

The Speaker: New question, the member for Fort York.

Interjections.

The Speaker: Order. The member for Hamilton East, come to order. The member for Lawrence, order. The member for Fort York has the floor.

EMPLOYMENT LEGISLATION

Mr Rosario Marchese (Fort York): My question is to the Minister of Citizenship, Culture and Recreation. Bill 79, the Employment Equity Act, requires employers to set goals and timetables, leaving employers to make reasonable efforts to achieve them. Quotas are strictly imposed and by definition they do not allow for reasonable efforts.

You call the first part of your Bill 8 "An Act to repeal

job quotas." Can you, Minister, define "quotas" as they relate specifically to Bill 79?

Hon Marilyn Mushinski (Minister of Citizenship, Culture and Recreation): The honourable member's question can be answered in one word: disaster.

Interjections.

The Speaker (Hon Allan K. McLean): Order. The member for Lake Nipigon, you're out of order. The member for Fort York has the floor.

Mr Gilles Pouliot (Lake Nipigon): On a point of order, Mr Speaker: I understand, with respect, from my colleagues that you're addressing me?

The Speaker: Would the member take his seat, please.

Mr Marchese: It is quite apparent to me that the minister has a wonderful grasp of definition, and it's also clear to me that when you don't have an answer, you don't answer. That's what we get.

As a supplementary, the employment equity bill does not compromise the merit principle; on the contrary, it affirms it. It calls for the hiring of qualified candidates from among the designated groups. You call Bill 8 "An Act to repeal job quotas"—which you didn't answer—"and to restore merit-based employment practices in Ontario." Can you tell me where in Bill 79 it says we should not hire the most-qualified person?

Hon Ms Mushinski: The Employment Equity Act was based on quotas, clear and simple. It spoke to designated groups and it spoke to \$50,000 fines for employers who did not hire to reflect those designated groups. If that isn't a quota system, then I don't know what is.

VEHICLE SAFETY

Mr Steve Gilchrist (Scarborough East): I'm sure I speak for all members of this House when I commend the Minister of Transportation on the announcement late last week of his important initiative on road safety. In light of certain recent events relating to a number of tragic truck accidents on our highways, however, there's one aspect of this new plan which I'd like the minister to explain in further detail.

Could the minister please tell the House how the proposed carrier rating program differs from the existing commercial vehicle operator's registration? Furthermore, can he also tell the House how it will impact on truck safety? Lastly, will this program place any additional tax burden on the citizens of Ontario?

Hon Al Palladini (Minister of Transportation): I would like to thank my honourable colleague the member for Scarborough East and share the information on how this present government is going to be working.

The existing commercial vehicle operator's registration provides a database on a carrier safety road record. All convictions, accidents and detentions are entered into this particular database. Also, a complete safety history of each commercial vehicle fleet operator is compiled.

We are going to be sharing this information by rating the carriers as satisfactory, conditional or unsatisfactory. This rating information is going to be made available to

shippers and people that want to do business with these carriers. It will be an incentive for carriers to make sure that their safety record is good. In other words, this will improve safety, and I'm happy to inform this House that this program is self-funded.

1440

Mr Gilchrist: Mr Minister, as someone with more than a passing experience in the automotive repair business, there's another aspect of your truck safety initiative that I would appreciate receiving greater detail on, namely, the air brake training program for truck drivers. How exactly will this aspect of the initiative work, and will it be mandatory for all transport truck drivers?

Hon Mr Palladini: It is a sad fact that the most common safety defect on trucks today is brakes. We feel that this brake training program will train drivers to be able to adjust their own brakes. Who is a better-qualified individual than the driver when he knows that his brakes are not functioning the way they're supposed to be? This is an 18-hour program through the Ministry of Education and this program is going to be mandatory, so every truck driver will have to take this program because that is in the best interests of road safety.

EDUCATION

Mr Richard Patten (Ottawa Centre): My question is for the Minister of Education. As you well know, across the province parents are very concerned about the standards of education their children are receiving. Minister, you confirmed details of a report from the Education Quality and Accountability Office in an interview with the *Toronto Star* which was published on Saturday. You were quoted as saying that the report was "pretty good work"—powerful quote.

On October 17, I asked you about your priorities, to which you responded: "We will be bringing forward legislation later in the year to deal with such things that are so important to the people of the province of Ontario as testing and quality in education." Therefore I ask you, Minister, will you make this report available today?

Hon John Snobelen (Minister of Education and Training): I'd like to assure the honourable member that we have had a report. As he knows, the EQAO is an advisory body at this point in time. It has submitted some advice to the ministry. We are still going through that report and we'll be making our comments public over the next couple of weeks.

Mr Patten: I'm disappointed that the minister would not share that report. We spoke to the office and they said they had indeed shared the report with you and that it would be up to you.

But in your remarks it is reported that funding for the education quality office will be dropped to \$16 million, down from \$25 million, as was previously announced. This is a \$9-million gap and presumably the rationale for some of your comments which were reported as being supportive of across-the-board testing in only grades 3 and 11 and backing away from testing in the middle grades.

This is a pretty big gap. There are eight years in which there would be no across-the-board testing, perhaps some

sample testing. Surely the minister agrees that parents will want to know the progress of their children in the eight intervening years. So my supplementary question is: Can the minister assure us and the parents that testing between grade 3 and grade 11 will not be a victim of this government's indiscriminate cuts?

Hon Mr Snobelen: I want to thank the honourable member for bringing up the subject today, because I'm quite proud of our government's efforts to bring real value to the province of Ontario, including real value in the very critical area of assessment of children in schools.

As I said earlier, I'll be reviewing the report of the EQAO now. That report does call for something in excess of \$15 million per annum in spending for testing. We're reviewing that report at this time and will be making public some remarks later on.

It's important for people to note, though, that those tests and evaluations that are suggested by the EQAO are not the only tests and evaluations of school children in the province; far from it. The most important evaluation will continue to be the week-by-week, month-by-month, quarter-by-quarter testing that's done in the classroom by the teacher and those reports that go to the parents. That remains the simple, most important testing process in the province.

LABOUR LEGISLATION

Mr David Christopherson (Hamilton Centre): My question is to the Minister of Labour. I have today received a letter, as you have also I believe, from the Information and Privacy Commissioner. In this letter the commissioner makes reference to sections 79 and 80 of your anti-worker Bill 7 and the effect that it would have on provincial and municipal freedom of information and protection of privacy legislation.

The commissioner says in his letter, "If the amendments are enacted as written, I believe the ability of the public to scrutinize the activities of government will be significantly compromised." Minister, what are you going to do about this?

Hon Elizabeth Witmer (Minister of Labour): We have certainly appreciated very much the meetings that we've had personally with individuals as well as the mail, in the way of letters and faxes, that we have received indicating areas in which Bill 7 needed some change or people didn't support or they were very supportive of.

Certainly this is just one other indication of a letter that we have received and we are giving very serious consideration. We appreciate the input, and I would tell you I have been particularly pleased that so many of the unions and businesses in this province have taken advantage of the opportunity to give us their best advice possible in order that we can introduce some more amendments tomorrow.

Mr Christopherson: Minister, that's an absolute insult to the very people that you've just mentioned. You talk about now wanting to listen to input and to listen to changes that ought to be made to this bill, and yet you're the same minister who is shutting down debate on this bill. As I understand it, by the end of tomorrow all discussion and input on Bill 7 is over. You've denied the

public any opportunity to have input. There are no hearings, no province-wide consultations.

Minister, in addition to unions and business and others pleading with you to allow them the opportunity of input, you now have the Information and Privacy Commissioner indicating that changes need to be made. Dear God, Minister, when are you going to stop this ideological rush and give the people of Ontario an opportunity to comment on this draconian, sweeping legislation? Minister, will you admit today that you've made a mistake and that the people of Ontario are entitled to have the public hearings that would allow them to comment on this legislation before you steamroller it through?

Hon Mrs Witmer: I appreciate the concern that you're expressing, but I think it's important that we set the record straight. Last week this government asked, invited you to participate in four days of hearings, 44 hours, and you said no. Unfortunately, it's your side, it's your party which indicated that you did not want any part of public hearings. The public has nobody to blame but the NDP at the end of the day for no public hearings.

1450

MINING INDUSTRY

Mrs Helen Johns (Huron): I have a question for the Minister of Northern Development and Mines. The Keep Mining in Canada campaign recently met in Ontario to garner support for their cause. Their goal is to ensure that the mining industry remains a key source of jobs and prosperity for all Canadians. They have indicated that the industry has been saddled by bureaucratic regulations and inflated costs at all levels. As a result, mining investment and the jobs created by it have been leaving Ontario for at least 10 years.

How is this government planning to stop this trend and once again make the mining sector a key source of jobs and prosperity for Ontario?

Hon Chris Hodgson (Minister of Natural Resources, Northern Development and Mines): I'd like to thank the member for Huron for the question. It's very perceptive. I want to assure her and this House that this government's very concerned about this trend. We want to turn it around. We want to reiterate to the mining people from around the world that Ontario is again open for business.

Toronto still remains, as the honourable member knows, a mining capital for risk capital. The last four years, we've raised \$20 billion on the Toronto market, and the sad thing is that only \$6 billion of that has been invested in all of Canada.

We heard the member's concerns when we were travelling the north before the campaign, and I want to assure this House that this government is going to keep its campaign commitments. We're going to freeze all mining taxes and fees on the mining industry. There will be a five-year freeze on Ontario Hydro. There will be a 5% reduction in WCB premiums. Last week, as you are aware, I announced some streamlining of the mine rehabilitation process.

I think that with these things we're delivering on our promises to make Ontario once again a place of prosperity and hope for our children and to send out a message that we're open for business.

Mrs Johns: What effect did the recent mine rehabilitation policy changes have on environmental regulations?

Hon Mr Hodgson: I want to assure the member for Huron that the announcements last week will have no impact on the environment, that we're committed to a strong mining industry and we're also committed to a healthy environment. What we've done is we've streamlined the mine rehabilitation process, which significantly reduces the time and the amount of paperwork required on the industry but doesn't violate or change any of the environmental requirements. We're open for business and we also want a strong mining sector in our economy. And we will, I want to assure the House, protect the environment.

TRANSFER PAYMENTS TO MUNICIPALITIES

Mr John Gerretsen (Kingston and The Islands): My question is to the Minister of Municipal Affairs and Housing. Minister, last week you indicated to this House that it's the intention of your government to give more autonomy to municipalities, as you stated, "to make their own decisions so that they can implement the programs that they feel are most important...."

Is the minister saying that municipalities will be able to opt out of currently provincially funded programs and mandated programs such as welfare and the proper construction and maintenance of their infrastructure? This will undoubtedly happen, since you've also stated on a number of occasions that the transfer cuts to municipalities are expected to top 20% this November and probably more so next spring.

Mr Minister, are you willing to give to us a list now of the programs that municipalities will be able to cut as the result of the autonomy you're giving them and as a result of the cuts you're implementing?

Hon Al Leach (Minister of Municipal Affairs and Housing): As the member knows, the Treasurer is bringing down an economic statement at the end of November, and all of that information will be provided at that time. However, I would like to point out that it's this government's intention to give more authority to municipalities. With more autonomy and more authority comes responsibility, and I think that's something they can handle.

Mr Gerretsen: Of course the minister didn't answer the question, but I'll ask it in a slightly different way: Is the minister not concerned about the effect, that we'll be creating in this province have and have-not municipalities where some citizens will receive a particular kind of service whereas others will not, because some municipalities will be cutting out some of the programs completely? Will you not be concerned about creating, in effect, two types of municipalities without any provincial standards?

Hon Mr Leach: Perhaps the honourable member across doesn't have any respect for locally elected politicians, but I do. I think they are elected to represent their constituency and they should be given the autonomy and the responsibility to do it. I believe they can do it, even if the honourable member doesn't.

SERVICES TO ABUSED WOMEN

Ms Shelley Martel (Sudbury East): I have a question for the minister responsible for women's issues. The

YWCA in Sudbury operates a shelter and a second-stage housing program, and your government recently cut off 100% of the counselling services at the second-stage housing project. Not only have you put the women and children at second stage in jeopardy but you've now compromised the women and children at the shelter, because one of the counsellors who worked at second stage also provided bilingual services to women and children in the shelter.

Rosemary, who's a survivor, has recently written to the Premier about this, and she says: "It was my move to second-stage housing and the counselling services provided there that helped me to move beyond the crisis stage to rediscover myself and to allow my child and I to feel safe. The daily contact my son and I had with the counsellor at second stage was vital to our being able to move, to live a normal life."

I wonder if the minister can explain to Rosemary how this government can possibly help women and children in Sudbury if you fund only the bricks and mortar and the security system at second-stage housing.

Hon Dianne Cunningham (Minister of Intergovernmental Affairs, minister responsible for women's issues): To the honourable member, I am interested in hearing more from you personally with regard to your agency in Sudbury. It is not our intent to close the second-stage housing; we do intend to protect the core services. If you would like to speak to me further, I'm sure the Minister of Community and Social Services is looking at all these second-stage housing projects and some of the concerns the individuals have brought to our attention, and we'll certainly be looking at the one that you intend to talk to me about.

Ms Martel: I don't know how the two ministers could have made the kinds of decisions they did without looking at the projects involved, without determining what core services are and without trying to find out what other services are available for women and children in our communities.

The minister should know that in Sudbury there is one full-time counsellor at Sudbury Family Service to deal with abused women and children. There is one counsellor at children's aid to deal with counselling for children who suffer from abuse.

About three weeks ago, Comsoc told the CAS that the funding for that child counsellor was not guaranteed for next year. Minister, with your decisions you are sending women and children right back into the violent situations they have fled from. How can your possibly justify the cuts to counselling at second stage?

Hon Mrs Cunningham: I would like to remind the House that there is in the province, funded by the Ministry of Community and Social Services, some \$15.7 million for emergency counselling. I would say at this time that I am interested in hearing about the difficulties in Sudbury. I've said to this House before that we will be coordinating services within all communities so that communities can be treated fairly, and if there's a specific concern, bring it to our attention.

We are working on the whole issue of counselling for women because we do agree that we have to protect and

support safe communities in the province of Ontario. In the end, we also have a responsibility to be the most efficient providers of these kinds of services, and we are protecting the counselling for women.

Interjections.

Hon Mrs Cunningham: I will also say, since people are shouting from the other end of the House, that we have a responsibility to the taxpayers. If we don't coordinate our services and get the best services available for the least amount of money, we will not be able to balance our budget and therefore these women will have very little hope for the future, jobs for themselves and a future for their children.

AIR QUALITY

Mr Dan Newman (Scarborough Centre): My question today is for the Minister of Environment and Energy. I understand that the minister recently attended a meeting of the Canadian Council of Ministers of the Environment in the Yukon, and I understand that at that meeting the council of ministers agreed to support important new clean air initiatives. I wonder if the minister might reassure the House that in speaking for Ontario she supported the clean vehicle and fuel initiatives that will be critical in addressing Ontario's smog problem?

Hon Brenda Elliott (Minister of Environment and Energy): I would like to thank my colleague for the question. I did indeed attend the Canadian Council of Ministers of the Environment meeting in Whitehorse, and I am pleased to indicate that we did agree to move forward with other provinces to improve air quality both here in Ontario and across Canada by agreeing to support the Task Force on Cleaner Vehicles and Fuels. We believe this will help move all of Canada towards national standards for vehicle emissions and for cleaner-burning fuels.

I would also like to say that today a very important decision is being made in Quebec, and it was an honour for me to be at that meeting and to participate with the other Canadian ministers and their representatives from the territories to work towards national standards for environmental legislation.

Mr Newman: As a supplementary, I would ask the minister if the council of ministers also agreed to move forward with the most cost-effective approaches to those initiatives; that is, harmonizing vehicle emission initiatives with those planned in the United States.

Hon Mrs Elliott: We did agree to go forward to work with harmonizing our standards in Ontario and Canada with those in the United States in this regard. We believe it is a cost-effective and environmentally sound method to improve Ontario's air quality.

1500

PETITIONS

HOSPITAL RESTRUCTURING

Mr Monte Kwinter (Wilson Heights): I have a petition to the Legislative Assembly of Ontario:

"Whereas the report of the Metropolitan Toronto District Health Council hospital restructuring committee has recommended that North York Branson Hospital merge with York Finch hospital; and,

"Whereas this recommendation will remove emergency and inpatient services currently provided by North York Branson Hospital, which will seriously jeopardize medical care and the quality of health for the growing population which the hospital serves, many being elderly people who in numerous cases require treatment for life-threatening medical conditions;

"We petition the Legislative Assembly of Ontario to reject the recommendation contained within the report of the Metropolitan Toronto District Health Council hospital restructuring committee as it pertains to North York Branson Hospital so that it remains, at minimum, emergency and in-patient services."

I have signed the petition, as has Mayor Mel Lastman of North York, along with 23 other people living in the area, and I am delighted to support it.

LABOUR LEGISLATION

Mr Bud Wildman (Algoma): I have a petition signed by 12 residents of Ontario. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the labour legislation from the Conservative government, Bill 7, would strip public sector workers of successor rights, meaning that workers whose jobs are privatized could either lose their jobs or be cut back to minimum wage;

"Whereas Bill 7 would also make a mockery of essential services provisions of the existing law, by allowing the Mike Harris government to use strikebreakers to perform any work in the Ontario public service, regardless of the provisions in an essential services agreement;

"Whereas many workers who are currently union members would have their union rights taken away by Bill 7, without any opportunity to vote on whether or not they wanted to remain in a union;

"Whereas this legislation will affect the Ontario public service employees in communities all across the province who have had no opportunity to have their voice heard in the drafting of this bill;

"We, the undersigned, petition the Legislative Assembly of Ontario to conduct public hearings, including evening sessions, in communities across the province, with a full opportunity for participation by public sector workers who would be hurt by this law."

I support this petition and I affix my name to it.

NEGATIVE OPTION MARKETING

Mr Bill Grimmett (Muskoka-Georgian Bay): Mr Speaker, I'm presenting this petition today on behalf of the member for Simcoe East, with whom I understand you are acquainted. The petition concerns negative option marketing, and the paragraph following the preamble reads as follows:

"That the Ontario government ensure consumer protection by quickly enacting Bill 206 into law, and that it advise the federal government of the concerns of Ontario consumers about the CRTC's recent decision not to protect cable television consumers."

It is affixed with the signatures of 12 persons and appears to be in order.

KARLA HOMOLKA

Ms Annamarie Castrilli (Downsview): I have here a petition signed by numerous Ontarians which reads as follows:

"To the Legislative Assembly of Ontario:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand a public inquiry into the conduct of all crown and law enforcement officials and employees at all levels involved in the investigation of Karla Homolka, and in particular the circumstances of the negotiation of the plea bargain arrangement. We also demand that all day passes and other privileges be revoked and her full 12-year sentence be served in its entirety."

I have affixed my signature.

CLOSURE OF JAIL

Mr Howard Hampton (Rainy River): I have a petition signed by over 3,000 residents of the constituency of Rainy River. The petition reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the provincial government is reviewing the operations of small jails across the province for their financial viability;

"Whereas the Fort Frances Jail is in fact under review and is at risk of closure;

"Whereas the Fort Frances Jail is the only jail in the Rainy River district, an area of approximately of 10,000 square miles;

"Whereas this move would be detrimental in many ways to many communities and the district as a whole;

"We, the following undersigned citizens of Ontario, beg leave to petition the Parliament of Ontario as follows:

"Not to close the Fort Frances Jail, that serves the Rainy River district."

I have signed this petition as well.

PRINCE EDWARD HEIGHTS

Mr Gary Fox (Prince Edward-Lennox-South Hastings): I have a petition signed by over a thousand of my constituents that reads:

"We, the undersigned, petition the Legislative Assembly as follows:

"Therefore, let it be resolved that the government of Ontario cease any further downsizing of Prince Edward Heights until the proper support structures for the developmentally handicapped are firmly established;

"Be it further resolved that the Minister of Community and Social Services implement a comprehensive impact study that would assess the current community-based social services available to developmentally handicapped individuals across the province of Ontario; and

"Be it therefore resolved that any impact study conducted would involve consultation for all stakeholders affected."

I have signed this petition.

EGLINTON WEST SUBWAY

Mr Mike Colle (Oakwood): I have a petition from the good citizens of Oakwood.

"Whereas on Friday"—Black Friday—"July 21, 1995, the Harris government deferred the construction of the Eglinton subway line without public debate and consultation"—no consultation—

"Whereas, by stopping the construction of the Eglinton subway line the Harris government buried over 1,200 jobs" in the Harris hole, "10,000 future jobs" were buried in the Harris hole, "derailed the subway link to Pearson International Airport and impeded the growth of new development and business within the city of York; and

"Whereas to date \$123 million worth of contracts have been committed and \$50 million has been spent" and put into the Harris hole;

"Whereas the Harris government will waste millions of taxpayers' dollars on filling the holes, and on legal costs due to broken contracts;

"We, the undersigned, petition the Ontario Legislature as follows:

"That the government of Ontario immediately resume the completion of the construction of the Eglinton subway."

I have signed this along with five dozen other people from Oakwood.

HIGHWAY SAFETY

Mr Len Wood (Cochrane North): I have a petition here signed by 1,436 people from Cochrane North, from Smooth Rock Falls to Cochrane to Kapuskasing and Hearst.

"We travel Highways 11 and 655 every day, seven days a week and six times a day. Highway 655 is a very dangerous route during the winter season and the route gets hazardous because of the icy conditions and the feeling of riding on a bottle. It's very narrow and has no shoulders and will not allow a truck to stop in bad weather. The road gets snow-packed easily because the trees are so close to the highway and the wind has no chance to clean it up. Snow swirls on the road and reduces visibility to nil.

"Drivers see more accidents on Highway 655 than any other highway. By reducing the number of snowplows and sanders, Highway 11 will get the priority in cleanup. If, for example, we get a snowstorm for two days, the cleanup will take three to four days. Meantime, Highway 655 and Highway 634 will be abandoned. Trucks will no longer be able to work, putting people out of work; 15 or 20 truck drivers could be laid off with one company alone.

"We don't find the winter cleanup to be adequate with the present equipment. We understand that the government is cutting the budget, but this will have serious consequences to the lives of the people travelling in northern Ontario."

I affix my name to the petition.

1510

KARLA HOMOLKA

Mr John O'Toole (Durham East): I rise today to present a petition on behalf of the residents of Durham East to the Attorney General as follows:

"We, the undersigned, request that the plea bargaining agreement between Karla Homolka and the Attorney

General be revoked, and we want a sentence that is equitable to the crime."

It's indeed a privilege to sign in support of this petition.

ALTERNATIVE FUELS

Mr John C. Cleary (Cornwall): I have a petition signed by many people from across Ontario, and it's concerning the ethanol project in my riding. They write:

"We, the undersigned, petition the Minister of Agriculture, Food and Rural Affairs to honour the \$3-million commitment to assist the Seaway Valley ethanol cooperative to construct a \$40-million to \$45-million facility to produce ethanol and other byproducts in the Cornwall area."

The petition continues, "The commitment was announced by the former government on April 5 and supported by all MPPs of all three parties, including the current Minister of Agriculture, whom we petition to" release the money to the Seaway co-op.

I have also signed this petition.

KARLA HOMOLKA

Mr Bob Wood (London South): I have today some 225 names on a petition concerning the Karla Homolka plea-bargain arrangement. The petition reads as follows:

"We demand a public inquiry into the conduct of all crown and law enforcement officials/employees at all levels involved in the investigation of Karla Homolka and, in particular, the circumstances of the negotiation of the plea-bargain arrangement. We also demand that all day passes and other privileges be revoked and her full 12-year sentence be served in its entirety."

I believe these people to be on the right track.

Mr Alvin Curling (Scarborough North): I have a petition, and this is addressed to the Legislative Assembly of Ontario:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand a public inquiry into the conduct of all crown and law enforcement officials/employees at all levels involved in the investigation of Karla Homolka and, in particular, the circumstances of the negotiation of the plea-bargain arrangement. We also demand that all day passes and other privileges be revoked and her full 12-year sentence be served in its entirety."

I affix my signature to this with many others who feel the same way.

LABOUR LEGISLATION

Mr David Christopherson (Hamilton Centre): I have a petition that reads:

"Whereas labour legislation from the Conservative government, Bill 7, would strip public sector workers of successor rights, meaning that workers whose jobs are privatized could either lose their jobs or be cut back to the minimum wage; and

"Whereas Bill 7 would also make a mockery of the essential services provisions of existing law, by allowing the Mike Harris government to use strikebreakers to perform any work in the Ontario public service, regardless of provisions in an essential service agreement; and

"Whereas many workers who are currently union members would have their union rights taken away by Bill 7, without any opportunity to vote on whether or not they wanted to remain in a union; and

"Whereas this legislation will affect Ontario public service employees in communities all across the province who have had no opportunity to have their voice heard in the drafting of this bill;

"We, the undersigned, petition the Legislative Assembly of Ontario to conduct public hearings, including evening sessions, in communities across the province, with a full opportunity for participation by public sector workers who would be hurt by this law."

I add my name.

LANDFILL

Mr Harry Danford (Hastings-Peterborough): I have a petition to present to the Legislative Assembly of Ontario, and this petition today is signed by over 1,500 area residents expressing concern with the present method of selecting waste management sites:

First of all, "That the Ontario government seek progressive, long-term solutions reflecting an awareness of modern technology;"

Secondly, "That the Ontario government reconsider the use of incineration as a method of waste disposal;" and

Finally, "That the Ontario government establish clear guidelines and standards to be applied to the site selection process which would exclude productive farms. These standards and guidelines should encourage locating waste management complexes close to major waste production sources."

I affix my signature to this petition.

CHILD CARE

Mr Frank Miclash (Kenora): I must say that after two weeks of not being able to present petitions in the House, it's nice to rise today to present this petition, which states:

"We, the undersigned, petition the Conservative government through the Legislative Assembly of Ontario as follows:

"That the government of Ontario hereby stop child care cutbacks. Funding cutbacks will affect the availability of professionally run child care programs, resource centres and services for children with special needs."

That's signed by a good number of constituents from my riding and from the Rainy River riding, and I too affix my name to that petition.

LABOUR LEGISLATION

Ms Marilyn Churley (Riverdale): I have a petition that reads:

"To the Legislative Assembly of Ontario:

"Whereas the PC government of Mike Harris, under the influence of corporate special interests, has introduced Bill 7, which would roll back rights of workers that have been achieved over several decades;

"Whereas this legislation is part of a pattern of cutting back protection for people in Ontario who don't have power or influence, including reduced welfare payments,

cuts to health and safety training, a cap on pay equity wages for low-paid women, gutting of the wage protection program, a freeze on the minimum wage and lower workers' compensation benefits;

"Whereas the effects of Bill 7 would be felt in every workplace across Ontario, from Windsor to Cornwall to the Manitoba border;

"Whereas the people who will be affected by this legislation have a natural right to be heard by MPPs before such sweeping changes are rammed through the House;

"We, the undersigned, petition the Legislative Assembly of Ontario to hold public hearings in at least eight cities in all parts of this province and listen to why Bill 7 should be withdrawn."

I affix my signature to this petition.

VISITOR

The Speaker (Hon Allan K. McLean): I would like the members to know that we have a special guest in the gallery today, the former member for Sarnia, Mr Bob Huget.

INTRODUCTION OF BILLS

PROPERTY RIGHTS STATUTE LAW AMENDMENT ACT, 1995

LOI DE 1995 MODIFIANT DES LOIS EN CE QUI CONCERNE LES DROITS DE PROPRIÉTÉ

Mr Barrett moved first reading of the following bill:

Bill 11, An Act to amend the Expropriations Act and the Human Rights Code with respect to property rights / Projet de loi 11, Loi modifiant la Loi sur l'expropriation et le Code des droits de la personne relativement aux droits de propriété.

The Speaker (Hon Allan K. McLean): Is it the pleasure of the House that the motion carry? Carried.

Does the member have a short statement?

Mr Toby Barrett (Norfolk): By way of explanation, this bill amends the Expropriations Act and the Human Rights Code to enhance the protection Ontario law gives to private property rights. The provisions added to the code are based on the Charter of Human Rights and Freedoms, Quebec.

CHARTER OF RIGHTS FOR VICTIMS OF CRIME, 1995

CHARTRE DES DROITS DES VICTIMES D'ACTES CRIMINELS DE 1995

Ms Castrilli moved first reading of the following bill:

Bill 12, An Act to promote the Rights of Victims of Crime / Projet de loi 12, Loi visant à promouvoir les droits des victimes d'actes criminels.

The Speaker (Hon Allan K. McLean): Is it the pleasure of the House that the motion carry? Carried.

Does the member have a short statement to make?

Ms Annamarie Castrilli (Downsview): I've already spoken on this bill at a previous time. I'll forgo.

1520

FRANCHISES ACT, 1995

LOI DE 1995 SUR LES FRANCHISES

Mr Martin moved first reading of the following bill:

Bill 13, An Act to regulate Franchise Agreements /
Projet de loi 13, Loi visant à réglementer les contrats de
franchise.

The Speaker (Hon Allan K. McLean): Is it the
pleasure of the House that the motion carry? Carried.

Do you have a short statement?

Mr Tony Martin (Sault Ste Marie): This act pro-
vides a comprehensive scheme to regulate the entering
into of franchise agreements and ongoing relationships
between the franchisor and the franchisee.

DROP THE PENNY ACT, 1995

LOI DE 1995 SUR L'ABANDON
DES PIÈCES D'UN CENT

Mr Tilson moved first reading of the following bill:

Bill 14, An Act respecting the rounding of the Penny
in Cash Transactions / Projet de loi 14, Loi prévoyant
l'arrondissement des sommes dans les opérations au
comptant.

The Speaker (Hon Allan K. McLean): Is it the
pleasure of the House that the motion carry? Carried.

Does the member have any statement at all? None.

ORDERS OF THE DAY

JOB QUOTAS REPEAL ACT, 1995

LOI DE 1995 ABROGEANT
LE CONTINGEMENT EN MATIÈRE D'EMPLOI

Resuming the adjourned debate on the motion for
second reading of Bill 8, An Act to repeal job quotas and
to restore merit-based employment practices in Onta-
rio / Projet de loi 8, Loi abrogeant le contingentement en
matière d'emploi et rétablissant en Ontario les pratiques
d'emploi fondées sur le mérite.

The Speaker (Hon Allan K. McLean): The member
for Fort York had the floor last. Continue, please.

Mr Rosario Marchese (Fort York): It's my pleasure
to continue to speak on Bill 8, a bill which has been
improperly named, I would add, because it says it's "An
Act to repeal job quotas"—and there are no quotas. I
asked the minister today a question on the issue of
quotas. Rather than give me a definition on the word
"quotas," she simply described what quotas are. It's not
what I asked, but that's what I got as an answer.

It continues, this bill, to say, "and to restore merit-
based employment...." I asked the minister a question on
the issue of merit, where I said that the employment
equity bill does not compromise the merit principle. On
the contrary, it affirms it. It calls for the hiring of qual-
ified candidates from among the designated groups.
That's what it does. It's not what they say it is, but what
is in actual fact the case with Bill 79.

I want to continue making some remarks, to add some
comments that I didn't make or wasn't able to make in
the previous remarks that I had made. I want to comment
on the role of governments, because in my view govern-
ments play an important role in dealing with issues of
equity and issues of discrimination.

If governments are not involved in bringing equity to
people who are otherwise discriminated against, we have
a problem. The Conservatives on the other side would
prefer that these things happen magically and that we

allow employers to do it on their own. I say that's all
very nice, but it doesn't work. It has never worked. As I
make some comments on this bill, you'll see how that's
the case.

I want to give some brief history of the role of govern-
ments in bringing about some equity in the workplace.
Affirmative action programs aimed at redressing gender
discrimination in the public service were instituted by a
Conservative government in 1974. It's a small fact that I
suspect a lot of Conservative members on the other side
are not aware of, but that is the case. It was a Conserva-
tive government that instituted affirmative action pro-
grams to redress gender discrimination.

The Canadian Charter of Rights and Freedoms, passed
as part of the Constitution Act in 1982, in subsection
15(2) guaranteed affirmative action programs for disad-
vantaged groups.

In 1986, in response to the 100 recommendations
contained in the report of the Commission of Inquiry on
Equality in Employment, the federal Conservative
government passed the federal Employment Equity Act,
which aimed at dealing with discrimination by removing
barriers to employment for women, racial minorities,
persons with disabilities and aboriginal people. Again, it
is a fact that I refer to: a bill introduced by the Conserva-
tive government at the federal level attempting to deal
with discrimination because they clearly understood it
was happening. The report written by Judge Abella made
that quite clear, and in response to it, a Conservative
government introduced an employment equity bill. It
wasn't the Liberals at the time, it wasn't the NDP; it was
the Conservative government.

You might argue or some people might argue that this
Conservative government is different. It's not the same,
because if previous Conservative governments could
introduce equity issues to deal with discrimination, why
isn't this government following through? It makes sense.

But this Conservative government is different. They're
not the same. They're certainly not progressive. They
should remove the label "Progressive" from "Conserva-
tive" because they're not, and I suspect they should
remove the label "Conservative" because they've gone
beyond that title.

Where on previous occasions you've seen that other
Conservative governments have done something very
useful in this field, this reform party is abrogating all of
that. This reform party is eliminating all of that. This
reform party is saying: "We don't need to do this any
more. It's not good. It's a disaster," they say.

I argue that it's a disaster to get rid of Bill 79 and
introduce Bill 8, which has no substance other than
repealing everything good that has come out of Bill 79.

The provincial Liberal government in 1987 initiated an
employment equity program in the Ontario public service
for the four groups and included francophones. The
previous provincial government built on these years of
progress by bringing in the Employment Equity Act in
1993, which required employers with 50 or more workers
to take reasonable measures to survey their workplace, to
determine the extent of representation of the designated
groups, review the policies and practices for barriers to

employment, and set goals to eliminate those barriers and hire and promote qualified women, people of colour—black people—persons with disabilities, and aboriginal people, the overriding objectives being to level the playing field so that all Ontarians can compete fairly with the goal of creating a truly representative workforce.

It required employers to develop a plan to remove them and change employment practices, and it also says they will keep tabs on the workplace makeup through data collection and monitoring those changes. That's what it did. If we don't keep tabs on the workforce through data collection, how are we to know how we are doing by way of equity and by way of representation? If you have no data, you will never know, and Bill 8 says that all employers will have to throw those data out, that we don't need them. That's a serious mistake. It costs money, as the minister said, to begin with, and she's saying: "It's okay. We don't need it any more. As to monitoring mechanisms, we don't have to monitor it; we don't need it."

But you see, if we don't monitor what people are doing with respect to employment equity practices in the workplace, again, we won't know what is going on. But they don't want to have us monitor the workplace; they don't want us to collect data.

Mr Len Wood (Cochrane North): They know it's working.

Mr Marchese: They don't want it because they know it's working. That was the vision around Bill 79. It was a good vision. It builds on what the research says, and that is that people of colour, black men and women, aboriginal people, people with disabilities and women, have been underrepresented and underemployed. They're the ones who often are last hired and first fired. These are the groups that are not faring well in the workplace by way of promotions, at the entry level included.

So when we look at what we have done, when we look at that practice based on the research, some of you will understand why we introduced Bill 79: because it brings about fairness to those groups that have not had fairness.

1530

If we go the other way with Bill 8, the repeal of employment equity legislation and the related provisions of the Education Act and the Police Services Act, this abandons the attempt to implement non-discriminatory hiring and standard employment practices and returns the province to the days when systemic discrimination in employment denied women, racial minorities, persons with disabilities and aboriginal people equal access to employment and promotion while maintaining an in-built advantage for some Ontarians.

We are knowledgeable on the in-built advantages to some Ontarians. White males have always had an advantage in the workforce in employment practices. The research speaks to that. Judge Abella's report was clear on this. When we repeal Bill 8, we go back to the old practices. We go back to the discriminatory practices where some people will do well and many will not. It's a terrible vision. It's a terrible Conservative vision. It doesn't work and it will be very costly.

I want to speak briefly on the issue of reverse discrimination, because a number of people have said that this Bill 79 is reverse discrimination. I want to say that programs which remedy long-standing underrepresentation of designated groups are not reverse discrimination.

First, our laws against discrimination have specifically identified employment equity or affirmative action initiatives as being compatible with and not inconsistent with the guarantees of equality. For example, the Ontario Human Rights Code bans discrimination in employment on grounds such as race, religion, disability, sex and the like. Subsection 14(1) of the code specifically allows for such initiatives. It provides as follows:

"A right under part I is not infringed by the implementation of special programs designed to relieve hardship or economic disadvantage or to assist disadvantaged persons or groups to achieve or attempt to achieve equal opportunity or that is likely to contribute to the elimination of the infringement of rights under part I."

Similarly, section 15(1) of the Canadian Charter of Rights and Freedoms guarantees equality rights to all persons in Canada without discrimination on grounds such as race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

Section 15(2) of the charter explicitly allows for employment equity initiatives without running afoul of the section 15(1) guarantee of equality. Section 15(2) provides as follows:

"Subsection (1) does not preclude any law, program or activity that has as its object the amelioration of conditions of disadvantaged individuals or groups..., and it goes on.

The combined effect of the Ontario Human Rights Code and the Canadian Charter of Rights and Freedoms is to provide that employment equity initiatives are totally compatible with guarantees of equality and freedom from discrimination. Employment equity promotes the same aim in these equality right guarantees. So there is no conflict with Bill 79 and the guarantees provided by the Ontario Human Rights Code and the Canadian Charter of Rights and Freedoms.

The myth underlying the reverse discrimination fear of employment equity is the belief that at present job applicants in Canada compete with each other on a level playing field. The current, severe underrepresentation of designated group members in the workforce demonstrates that this is false. The playing field is heavily weighted in favour of those who are not members of the designated groups. For the designated group, the playing field is slanted in a steep, up-hill incline.

I refer you again to that survey that the Bank of Montreal conducted among 2,000 of its employees across North America to determine, among other things, if there were attitudinal barriers to women's advancement at the banks. I described the last time the perceptions and the reality at the Bank of Montreal. Rather than repeating the perceptions and the reality, what the study did is to debunk many of the arguments made by those who oppose employment equity. There are still many discriminatory attitudes towards women. That's what that study

at the Bank of Montreal reveals. That was 1990, while they were federally regulated and under the employment equity law. So in spite of this, there are still discriminatory practices in the workforce. We know that.

"And as is the case with women,"—because that's what it dealt with in this particular study—"we are certain that a similar study would show that discriminatory attitudes and stereotyping also continue to exist towards the other designated groups," says the study.

I want to refer the public and those who are listening to another study, or many studies, that the Canadian Civil Liberties Association has done, studies over a 20-year period. The premise is this: They call employment agencies located all over Ontario, the caller identifies himself or herself as a representative of an American company planning to locate in that area and wants to explore the services of this employment agency. Among the questions asked was whether the agency would be prepared to refer whites only for the jobs available. In the 1975 study survey, the first one, 15 agencies were contacted, and 11 indicated their willingness to screen out non-white people.

I will just read from a letter, but I want to simply point out that the Canadian Civil Liberties Association has written many, many letters since 1975.

One was addressed to Dr Thomas H.B. Symons, chairman of the Ontario Human Rights Commission, identifying this problem and speaking to remedies connected to such injustices. The next one is in 1975, and it's addressed to Mayor David Crombie.

It continues to Dr Thomas Symons in 1977, the chairman of the Ontario Human Rights Commission. They write again in 1979 to Gordon Fairweather, QC, chief commissioner of the Canadian Human Rights Commission. It goes on to 1980, and it's addressed to the Honourable Dr Robert G. Elgie, Minister of Labour of Ontario.

They continue writing: 1983 to Mr W.B. Cook, administrator of employment agencies, Ministry of Labour. They write in 1991 to the Honourable Elaine Ziemba, the Minister of Citizenship for Ontario. Again, they write to us, the Honourable Bob Mackenzie, Minister of Labour of Ontario, 1992.

1540

Then I will read from a page from 1991 which best explains the problem with these employment agencies and the discriminatory practices they're engaged in. This is written to the Honourable Bob Mackenzie:

"Dear Sir:

"This is to express the concern of the Canadian Civil Liberties Association over the failure of successive governments in this province to adopt the minimum prerequisites for dealing effectively with discrimination by employment agencies."

The next page describes a bit of the problem:

"In our earlier submissions to the government on this issue, we noted that the Human Rights Code and commission could not deal adequately with discrimination by employment agencies. The machinery of the code is too dependent upon the filing of complaints. The problem

with such an approach is that job applicants who go to employment agencies do not know the identity of the agencies' clients. Thus, those applicants can easily be screened out without their ever knowing what the agency has done.

"In consequence, we argued that the only way discrimination would ever be detected in this field was to create an audit system with the power of continuing access to books and records," part of what I talked about earlier. You need a monitoring agency; otherwise, you'll never know what is going on in those workplaces.

"The ministry's 1982 paper seemed to acknowledge the logic of this argument. Nevertheless, as indicated, no such audit system has been established to date.

"When we decided with the advent of a new government in Ontario it would be wise to renew this proposal, we realized that our research material is more than 10 years old. Within the last several weeks, therefore, the Canadian Civil Liberties Association conducted another survey.

"Once more, we telephoned 15 agencies—four in Toronto, four in Ottawa, four in London and three in the Kitchener-Guelph area. Our testing method was the same as before. We told each agency that we represented an out-of-town firm that was considering the setting up of operations in that community. In order not to waste any time, we pointed out that this call was designed only to elicit information as to the kind of services that the agency would be prepared to perform. There were to be no orders or commitments at the time of the call. At some point in the conversation, we asked whether the agency would be prepared to refer only white candidates for the job in question, just as they did before, since 1975."

And it says, "I regret to advise you that it appears very little has changed in 20 years." Nothing has changed. That's what this government wants to get us back to. This government wants to bring us back to 1975 in spite of all the progressive changes their Progressive Conservative governments have made.

"Of the 15 agencies we telephoned, only three declared their unwillingness to accept discriminatory job orders." Out of the 15, only three. "The other 12 agencies readily expressed their willingness to comply."

The following are some of the examples of what they said: "It is discrimination, but it can be done discreetly without anyone knowing. No problem with that."

Another quotation: "That's no problem. It's between you and me. I don't tell anyone; you don't tell anyone." Remember, this is where they point out whether the agency would be prepared to refer only white candidates, and these are the responses.

Another quotation says, "You are paying to see the people you want to see."

Another: "Absolutely. We will refer any white candidate that you want, definitely. That request is pretty standard here."

Another: "That's not a problem. Appearance means a lot," in terms of obeying the law, "whether it's colour or overweight people."

"We can do that," another quotation says, "but I didn't hear you say that. As an employer, I can understand that you want someone who won't make your customers uncomfortable."

Another quotation: "Between your four walls and mine, we break it right down to race, colour and creed. We don't like to waste time. Not everyone is right for everyone."

Another quotation: "Okay. Not a problem at all. That's one of the major reasons for going through an agency."

The final quotation I've got here says:

"We send only the ones with your specifications. If you want a girl, I'll send you a girl. If you want a guy, I'll send you a guy. If you want a WASP, that's what I'll send you."

All these quotations that come out of the interviews done by the Civil Liberties Association with these employment agencies reveal that we've got a serious problem, that the problem of discrimination will not go away voluntarily.

This is what this government wants us to do. It wants to take us back 20 years ago to those discriminatory practices. The question we almost have to ask them is, haven't we learned something from the last 20 years? Or, put differently, what have we learned over the last 20 years?

Is this government not intent on looking at this kind of research that has been done? Is this government not interested in listening to that? I know they're not listening now, including the minister, I understand that, but if they simply look at the record—it's important for the minister in particular to listen.

Mr Derwyn Shea (High Park-Swansea): We're making notes.

Mr Marchese: I'm glad you're making notes.

If you're looking at the evidence, it will tell you we've got a serious problem and that we're not going to fix it by disregarding it. We're not going to fix it by simply allowing employers to do what they want. We'll help them, yes, if they want. The problem is, this is not going to go away.

These studies show equal opportunity and voluntary measures just don't work. In all these studies, we see intentional discrimination at work, with no way for action to be taken to the Human Rights Commission. Why? Because there is no complainant.

We just reveal how the policies and procedures in hiring work against designated groups and we see how these policies discriminate in a systemic manner. Designated groups are screened out before even knowing about the job opportunities. White males are given their own 100% quota system. We see how equal opportunity guarantees are regarded with contempt and so easily thwarted. We see how the Human Rights Code and Human Rights Commission are useless in the face of these anonymous policies.

Now we have a legacy of designated groups being unrepresented in the workplace, especially in good, full-time jobs, and we can see how business caters to the old

boys' network. Tories want to bring us back to that system, and they have the arrogance to call it a merit system. It is a system, what they're getting us back to, of "It's not what you know but who you know."

Change is necessary. Bill 79 was intended to give us that change. We see it in all the studies. Equal opportunity won't work, and the Human Rights Commission is not the vehicle to guarantee rights in the workplace, because it is intended to deal with individual complaints, with individual discrimination, not systemic discrimination. Not only that, we need a complainant. Without a complainant, we can't solve the problem. Without a complainant, we can't even take it to the Human Rights Commission. This assumes, of course, that the Human Rights Commission will solve it, or solve all the cases, with all the backlog.

1550

But the problem is clear: It doesn't deal with systemic problems; it doesn't deal with barriers; it doesn't deal with recruitment; it doesn't deal with collecting data so we know what the workforce looks like; it doesn't deal with monitoring those policies and those practices. That's why we need change. We need employment equity legislation which compels employers to create a barrier-free workplace to determine bias-free hiring and promotion procedures.

On the question of data collection and setting of goals and timetables, you call these "quotas," as if they are a stick that the government uses to clobber employers into submission. Well, why be afraid of taking an honest look at the makeup of the workplace, and why be afraid of measuring success? Why would anyone be afraid to do that?

Quite clearly, this government isn't just afraid of that; it's simply opposed to that, and it's bringing us way back.

We argue several things on the issue of merit again, that these studies illustrate how this government perpetuates the myth that the merit determines hiring and it wants to restore merit. Make no mistake about this: If merit were the bottom line, we would have no need for employment equity. If merit were the bottom line, people of colour, people with disabilities, women and aboriginal people would be employed, would be better employed, would have greater access to equality in the workplace. But merit is not what is being used in hiring practices. We wish merit were being used, but it's not. They want to bring us back to a merit system that is not merit at all.

Employment equity was intended to do just that. It affirms the merit principles. Contrary to their statements, employment equity affirms those principles.

Testing and hiring, as I said earlier, must be bias-free. Recruitment must be comprehensive. Data collection is not to be feared. Employment equity ensures these conditions, because it's an open and transparent process. It's accountable, methodical and concrete. It's a plan which reflects the needs of each workplace, and it gets results.

Equal opportunity does not. It's all very nice to call it equal opportunity, but it doesn't work on its own. It

won't work if you don't have the plans in place, as we did through Bill 79. So it might sound good to a few of them. Some of the listeners might think that what they're talking about makes sense, but equal opportunity brings us back before 1974, when the first Conservative government brought about affirmative action programs.

I want to go to the Hansard briefly to comment on the minister's statements, several of them. One has to do with the one I made when I asked her a question about what she's doing for the issue of diversity and multicultural groups. I talked about the fact that what this government has done doesn't help our multicultural diversity, doesn't help it at all. I referred to a number of things and said, "...you chopped millions of dollars in programs that support the following: citizenship development, access to professional trade demonstration fund, settlement and integration." She eliminated the anti-racism project fund, the anti-racism operating fund and the anti-racism community placement program.

How could you talk about equity and eliminate those very programs to deal with the issue of racism? They say, "We can't afford it." Can we afford racism? These are the few programs that are intended to deal with racism, and this government has eliminated them. If you have any sense of what they're doing with employment equity, based on what you've seen with these cuts, you will understand. They're not interested in equity at all.

It goes on. They are eliminating the Advisory Council on Multiculturalism and Citizenship, and with one, single stroke of the pen they eliminated the five welcome houses in Hamilton, Mississauga, Scarborough, North York and Toronto. They serve 63,000 people, but they say, "Oh, we can't afford it." We say you should be able to afford that, because when you send them to these welcome houses, what you're doing is you're preparing them to be good citizens, to be better citizens. Not to say they're not, but we're giving them access to information and programs that will make them better citizens, and this government's eliminated all five welcome houses.

Mr David Christopherson (Hamilton Centre): They don't care.

Mr Marchese: How could they care? Oh, but they do. No, no they care. They say they care, so we have to believe that they care.

These agencies, which ease the settlement process and help to make sure that the energies, skills and knowledge of new Canadians are captured and channelled into productive lives, are gone. How can anybody have any faith that this government is interested in equity when it just abolishes the very things that help to serve our diversity, our diverse communities? Our anti-racism programs are gone.

But they have a plan. We haven't seen the plan, but it's coming, and we have an indication of this possible plan through the programs this minister has made. She said there are four simple reasons why they oppose this: They're unnecessary, they're unfair, they're ineffective and they're costly.

"Job quotas are unnecessary because discrimination is already against the law under the Human Rights Code."

What an interesting statement. First of all, Bill 79 doesn't deal with quotas at all. I think they're smart enough to understand this. But more than that, I believe they're more politically smart to understand that you never tell the truth; you manipulate it. So you call it quotas. And if you ask them a question, they simply won't answer it. That's what they do.

Mr Christopherson: We saw that today.

Mr Marchese: We saw it today when I asked her that question. She said, "Jobs quotas are unnecessary because discrimination is already against the law under the Human Rights Code." Isn't that wonderful? We can all go home now. Discrimination is against the law. It says so under the Human Rights Code. They're going to beef that up and we'll all be happy. Everybody will be equal. How ludicrous that is.

It flies in the face of every study that we have done. That is why I referred to the civil liberties study which speaks to the ineffectiveness of the Human Rights Commission and the code for a variety of reasons, but primarily because of the instance that I cited: You need a complaint. How can you get a complaint if the complainants don't know they're being discriminated against? But that's okay, the Tories have the answer: It's against the law under the Human Rights Code. I feel much better now.

Then they say, "We know that significant improvements to the Ontario Human Rights Commission have to be made to ensure that it helps victims of discrimination more effectively..." That's wonderful; I feel better. They're going to do that somehow, and after all of that we'll have equity once again, equity of the prior-to-1974 type where discriminatory practices were the rule. We'll bring those discriminatory practices back to 1995, bringing us back all the way to those terrible old days where we didn't deal with discrimination at all.

She goes on to say, "Job quotas are unfair because they obstruct an employer's ability to hire on the merit principle"—another ludicrous statement. You can't say it's a lie, you can't say that in the House, you can't do that, but what is here is not truthful. This statement here is not a truthful statement. "Job quotas are unfair because they obstruct an employer's ability to hire on the merit principle" is wrong, is false, and they know it. And if they don't know it, it's worse.

1600

Bill 79 does not require employers to hire those people who are not qualified. It's clear in Bill 79. All I urge the minister to do is to read it. I urge Mike Harris to read it. I urge those who support the Tories to read the document, because nowhere in that bill does it say that employers must hire unqualified people. Nowhere does it say that. If they don't know it, it's worse.

She goes on by saying that "Job quotas are ineffective because they fail to address the root causes of the very issue they purport to address: discrimination."

That's a neat one. I don't understand that at all. They were ineffective because they fail to address the root causes. It's unbelievable. I don't understand that at all. It makes no sense. Bill 79 was intended to deal with the

root problems of discrimination in the workplace. It was intended to deal with systemic discrimination. These are the root causes. I have no clue what they're talking about here, but they have the boldness to say anything that they want, even if it doesn't make any sense.

"Last," it says, "but by no means least, job quotas are costly."

That's another good one. What they're saying is that we shouldn't spend any money to remedy injustices, that we shouldn't spend any money to correct discriminatory practices, that it's all right if the resources of humans of these designated groups are not used by employers, that that's not costly, but what is costly is for employers to put a few dollars to do the right thing, to bring about equity in the workplace, to recruit, to remove barriers, to have data collection and to monitor it. That's not costly.

It is my view that when you eliminate discriminatory practices, when you eliminate discrimination, when you deal with it, even if we can't eliminate it, that's good; that every dollar we spend in dealing with those issues is critical for our society; that to punish those who have been victims of the discrimination is a bad thing; that to punish them because we say it's costly to do the right thing is not good. It's absolutely wrong, and these Tories have done irreparable damage to the progressive changes that we have made to those progressive efforts they themselves as Tories have made. It's a destructive change.

It goes on and says, "As an employer, the government has made a commitment to zero tolerance in our...workplaces and to leading by example, and we fully intend to keep these commitments."

What does it all mean? It sounds all very nice to be able to say this government's "commitment to zero tolerance in our...workplaces." What does that mean?

Now, on paper, it's wonderful. It means you oppose it; zero tolerance. On paper, it says a great deal, but in practice, it says nothing. If you abolish Bill 79, which had all the tools to deal with discrimination, then you're not committed to zero tolerance in the workplace. You can't be, because you've just eliminated all the tools that gave us the opportunity to deal with discrimination, but they're committed to it, they say. It sounds nice, but I tell you, Minister, you're doing the wrong thing. People will not be fooled by this language, because it's false.

Mr Christopherson: Talk is cheap.

Mr Marchese: Talk is very cheap, very cheap, and if you're leading by example, this is the worst of examples to lead by.

I challenge you, Minister, to show us the figures of the people you employ in your offices, and I will tell you that it will show that we will not have too many of those designated groups in those offices and you're not leading by example, but I'd like to be proven wrong. Minister, before those hearings begin, I'd like you to show me how wrong I am in that regard.

"Our approach," she continues, "to equal opportunity—"

Mr John Gerretsen (Kingston and The Islands): On a point of order, Madam Speaker—

Mr Marchese: I only have 44 seconds.

Mr Gerretsen: Well, on a point of order, I don't believe there are 20 members in the House right now.

The Acting Speaker (Ms Marilyn Churley): Is there a quorum?

Clerk Assistant and Clerk of Committees (Ms Deborah Deller): A quorum is present, Speaker.

The Acting Speaker: Continue.

Mr Marchese: I'd like to thank the member for that intervention.

In my 17 seconds: Bill 8 is a disaster. Bill 8 will bring us back to the Dark Ages. Bill 8 is anything but progressive. I hope through the hearings that the communities out there will come out to show how wrong they really are in this regard.

The Acting Speaker: It's now time for questions and/or comments in response to the speech from the member for Fort York.

Mr Steve Gilchrist (Scarborough East): Certainly, it has already been our experience as the new members in this House that what passes for debate is far too often idle rhetoric and diatribes and far too often a less-than-decorous tone from the other side.

Let me just start, in responding to my honourable colleague, by quoting a few sections right out of the act. An employment equity act must contain the following information: "A list of the numerical goals described in section 18 that will be achieved during the term of the plan and a description of how the goals were set and a description of the timetable for implementing the measures and achieving the numerical goals."

I don't think the time of this House should be spent occupied by quibbling over semantics, but whether you want to call them quotas or whether you want to call them numerical goals, the point is exactly the same: This act was flawed; this act spoke against merit; this act was all about putting people into boxes and targeting specific groups and having them work not in the interests of all Ontarians but in their own special interests.

Let me also quote very briefly from a Globe and Mail article. "Designed by well-meaning people to encourage integration, employment equity in fact works against it, encouraging Canadians to huddle together in groups and feed the unhealthy obsession with race and gender that has seized Canadian society in the 1990s."

The Toronto Star—it'll be interesting to hear what our Liberal colleagues have to say about Bill 8, because the Toronto Star, on June 27, 1993, said: "After spending two years and a few million dollars, the government has come up with a plan that's not likely to help those it's supposed to. It will put employers through expensive bureaucratic hoops in this recession. In so doing, the NDP has managed the worst of both worlds."

The Globe concludes by saying, "Every Canadian should give it hearty good riddance."

Mr Gerretsen: It's kind of interesting that my friend across the way should talk about idle rhetoric, because for the last four to five weeks in this House, that's all we've heard from all members on the government side. We've heard about nothing—

Mr John Hastings (Etobicoke-Rexdale): From your side too.

Mr Gerretsen: Not from our side, no.

The Acting Speaker: Would the member please address the Chair.

Mr Gerretsen: We are the party of reason. We are the party of consensus, of compromise, because we realize that in this province, what has worked extremely well over the last 125 years, up until five years ago, is the fact that on most issues, people were able to reach consensus, and management got along well with unions. The type of legislation we're talking about right now that this government's trying to introduce will basically set the province back at least five years, if not more than that.

So if we're talking about idle rhetoric, I think what the members of the government ought to do is at least get rid of their secondhand or thirdhand copies of the Common Sense Revolution. There are about three or four copies, I'm sure, in each and every desk, and if there's nothing else to talk about, they sort of bring out this book that they wave around just like a Bible, and everything, all the answers to all of the problems that we face in this province, is contained in the Common Sense Revolutionary document.

I say that the people of the province of Ontario don't buy it. It may be a popular notion right now, because they want change. I totally agree with that. They want change. But they're not going to buy the kind of revolutionary nonsense that's being preached by the other side.

The way you change bills is not just to say, "Everything the last government did during its five years is wrong and we're just going to abolish it all." No, what you do is take a look at that legislation, find out what the problems are, and deal with it accordingly.

1610

Mr Christopherson: Once again it's interesting to watch the contortions of the Liberal Party, which votes against Bill 40 and then attacks Bill 7 and then tries to attack the government on this bill when indeed it was the Liberal Party that voted against this legislation when we brought it in. The public is at the very least getting a good education in watching Liberal policy in action: whichever way the wind's blowing.

I want to focus my comments on the efforts of the member for Fort York, who, in all the time I have known him, has made human rights and the positive aspects of our society an important part of why he's in this place. I can remember over the years as we were in government that he was always the first and the strongest on his feet to argue that we ought to be doing everything we can as a government to build on the strengths of Ontario, and that means the diversity of the people who have come to Ontario today, who will come tomorrow and have been there in the past. He shows that again with the passion and commitment he's made to his comments.

We believe fundamentally—and my colleague from Fort York shows the leadership on this—sincerely believe that the difference between us in Ontario is a strength, and the new government seems to believe that somehow,

by dividing people or merely doing nothing, that makes for a better Ontario. The evidence is exactly the contrary. The evidence shows us that when we build on our diversity and we work together and we find common goals, that's how we become the great place we are. That's what we're arguing when we're asking Quebec to stay. Yet this government is full of words, full of rhetoric, but no action, and this truly is a sad day for Ontarians.

Mrs Janet Ecker (Durham West): Thank you, Mr Speaker. I'm very pleased to stand up and respond to the discussion on this legislation because I find it extremely difficult to understand why our friends opposite keep referring to this legislation as not having quotas in it. Any legislation that requires numerical targets, that requires employers to sit down and start dividing up their workforce by gender or by cultural background, is about quotas. There is no other word for it.

As I knocked on doors in this election I met people of all political backgrounds—I don't mean "political," though I did meet people of all political cultures as well—I met people from all different cultural backgrounds who complained to me about this legislation because they saw it as reverse discrimination. They saw it as legislation that was not promoting equality among the races; they saw it as legislation that was not promoting peace and good government, if you will, good order in the workplace.

For that reason I think the changes we are making to this legislation are needed. Discrimination, regardless of what it's based on, is wrong and should not be put into legislation. It is not something which is going to help employers or employees get along better as they seek to compete in what is becoming a very, very competitive world out there in the workplace.

I am very pleased that the minister, Marilyn Mushinski, is moving to change this legislation. I think it will help employers as they seek to compete and hire those who are best qualified for the jobs. Encouraging employers to hire based on the visible characteristics of employees I think is very, very wrong.

Mr Marchese: You weren't listening.

Mrs Ecker: No, it's very, very wrong. I heard from people who you would think would benefit from this legislation, but they were very upset about it because they saw it as patronizing, saw it as somehow saying they couldn't hack it, and they want to be able to compete on a fair basis.

The Acting Speaker: The member for Fort York, you have two minutes to sum up.

Mr Marchese: Madam Speaker, on a point of order: I think four speakers could speak to this, if I'm not mistaken. Perhaps you can get a ruling on that.

The Acting Speaker: Four people did speak, and now I'm asking you to sum up.

Mr Marchese: Is that four already? I beg your pardon.

I thank the members for Scarborough East, Kingston and The Islands, Hamilton Centre and Durham West for their comments.

First of all, with respect to the Liberals, I'm hoping very much that this time around they will all oppose Bill 8, because it's wrong. I don't need to say any more than that.

Mr Gerretsen: Oh, say some more about it.

Mr Marchese: No, I don't want to offend the Liberals any more than others have done already.

With respect to what the members for Scarborough East and Durham West have said—and I thank the member for Hamilton Centre for his remarks on my behalf—I find what they said almost offensive, particularly the remarks the member for Durham West made.

As to the remarks made by the member for Scarborough East about “idle rhetoric,” what's idle rhetoric is the title of this bill. What's idle rhetoric is the fact that it says “An Act to repeal job quotas and to restore merit-based employment” when they know this is not true. That is idle rhetoric.

They quote some comment from the *Globe* that says “encourages Canadians to huddle in groups.” What an offensive remark. What does that mean? People are seeking equity. They're not seeking to huddle in a group; they're seeking equity.

As to what the member for Durham West says—who's busy talking to her other friends—she talks about getting away from hiring based on visible characteristics. I've been here speaking for an hour and a half against that very comment, and she reiterates something which is very offensive. What person wants to be hired because she's black? What person wants to be hired because he or she is disabled? They want to be hired based on their merit, not because of their visible characteristics.

Bill 79 promotes that. They should read the bill. They offend me and they offend every designated group when the member for Durham West, who's not even listening and is laughing at something else, says those very stupid things.

Mrs Ecker: On a point of order, Madam Speaker: I would like to start by apologizing for addressing you as “Mr Speaker” earlier this afternoon.

The Acting Speaker: I'm getting used to it. That's okay. I accept your apology.

Mrs Ecker: I should have said “Madam Speaker.” I think it's a wonderful change in the decor of the Chair.

That being said, I do believe I have been insulted by the member opposite, and I would ask you to please ask him to withdraw.

The Acting Speaker: I give the member for Fort York the opportunity to apologize to the member for Durham West, who was offended by your remarks.

Mr Marchese: I understand. I would like a ruling on this. What I said is this: I was offended by her remarks, and I said that her remarks—I'm paraphrasing myself—were stupid. I didn't say the member was stupid, but that her remarks were stupid. If you have a record of that, please rule on that.

The Acting Speaker: To the member for Durham West, I've given the member for Fort York the opportunity to apologize to you, since you've indicated that he has upset you by that remark. However, I don't rule the

remark to be unparliamentary. I'll ask the member for Fort York one more time if he'd like to take the opportunity to apologize, and if not, then let's continue with the debate.

1620

Mr Tony Clement (Brampton South): I can only say to the honourable member for Fort York that stupid is as stupid does, and we'll just leave it at that.

It is my great pleasure to speak on behalf of Bill 8, An Act to repeal job quotas and restore merit-based employment practices in Ontario.

This repeal bill is necessary because legislated job quotas do not and will not work, contrary to the assertions of the previous government and the previous speakers we have heard so far from the opposition benches. Quotas are not, nor will they ever be, equitable. This form of government coercion—coercion—in the workplace will not result in equal opportunity for the individuals with the talent to do the best job.

The honourable member for Fort York seems to be making a point about saying there are not mandatory job quotas in the previous legislation. If it walks like a quota, if it talks like a quota, if it quacks like a quota, it is a quota.

This government intends to repeal the quota legislation and to develop a sensible, cost-effective equal opportunity plan to encourage merit-based hiring and promotion in Ontario's workplaces.

The quota-based system as found in the former government's legislation would have weakened our social fabric and undermined our economic strength. It would have done this by pitting group against group, by picking winners and losers according to skin colour, according to gender and other designated grounds. This is plainly morally wrong.

What have we and our ancestors struggled for all these centuries? Freedom. Was not individual responsibility and freedom the hallmark of such North American social and political reformers as William Lyon Mackenzie or George Brown or Thomas Jefferson or James Madison? Now the ideologists on the other side wish to turn back the clock and strike away at individual rights and responsibilities. These rights and responsibilities have been hard fought for and won over the past 200 years and more. Fortunately, due to the decision of the people in the June 8 election, this wrong turn is going to be fixed before we reap in full what Bill 79 was to sow.

The whole concept of quotas is based on a philosophy of government obsessed with slotting its citizens into categories. To me, this is abhorrent. My vision and that of the people who elected this government is not of a society preoccupied with promoting differences to the detriment of recognizing our common humanity, but instead of a society profoundly sensitive to the potential and the uniqueness of each individual.

Mr Bruce Crozier (Essex South): Only 38% of the population voted for you.

Mr Clement: The honourable member for Kingston and the Islands is quoting from the election results, and I commend him to do that—

Mr Crozier: Essex South.

Mr Clement: —because certainly in my riding of Brampton South over 50% of the population wanted real change and helped elect a Mike Harris government.

Mr Gerretsen: On a point of order, Mr Speaker: I would like the member to at least recognize the proper member. He referred to me when I didn't say a darned thing, and I would just like to set the record straight. In my riding, less than 25% of the people wanted the Harris government.

Mr Clement: I do acknowledge my mistake. I meant my own riding of Brampton South. I acknowledge the mistake and thank the member for correcting the record in Hansard.

The wider issue, though, is that there is an important role for government to play, but it is to protect individual rights and expand individual opportunities.

For the past three and a half months, I have served as parliamentary assistant to the Minister of Citizenship, Culture and Recreation. In this capacity, I have served and I've participated in a number of events sponsored by Ontario's diverse communities. But when I look out over an audience, I do not see the neat categories of people that have been defined by a bevy of bureaucrats. I perceive a sea of individuals, each with his or her own collection of strengths, weaknesses, geniuses and follies. People see themselves as individuals, with hopes and dreams and abilities and achievements, not as some statistic in an elaborate scheme devised by government. No wonder voters felt that government wasn't working for them any more.

The message that was sent out on June 8 was that the people of Ontario want back more individual freedom and individual responsibility. Taxpayers want to spend more of their money themselves instead of having government spend it for them. Workers want their democratic rights in the workplace to be strengthened and individuals want to succeed by their own merit, not because they fall or do not fall into the right category.

Quota legislation is divisive. Quota legislation emphasizes the very differences that fair employment practices should overlook. It seems to me that there is a whole cottage industry out there finding some tragic event or calamity in the past and demanding redress in the present. I believe it would be a mistake to succumb to this cult of victimization. While we should all never forget the lessons and the victims of past inequities, to seek to redress these injustices, regardless of merit, by creating another injustice—injustice piled upon injustice—only compounds the problem.

Victimization has become a crutch, aided and abetted by an ideological critique of Western democratic thought and society to minimize individual responsibility and to use—to use—previous tragedies throughout the history of humanity to promote the redistribution of power and authority for utterly separate motives.

I understand the motives of the third party. We all saw them in the past five years. They wish to redistribute to their ideological convenience. But to use the victims of the past as a crutch to do this is truly immoral. In other

words, what are we teaching our children: that to get ahead, someone else must be pushed aside? Is that what we're teaching them? That each failure is a result of the system being stacked up against the group? I, for one, wish my children to learn the values of independence, the values of hard work and the values of individual responsibility.

Not only is quota legislation dangerous and immoral, it is in fact unnecessary, because discrimination is already illegal under the Human Rights Code. The reason we have an Ontario Human Rights Commission in the first place is to deal with those who break the law. It is here, with this commission, that we must take action against those who insist on hiring and promoting based on factors other than genuine merit.

The commission is working to enhance its operations and case management. In the longer term, I would agree with the critiques of the opposition benches that significant improvements are needed to ensure that the commission fulfils its mandate to help the victims of discrimination more effectively and efficiently, and we will be acting swiftly and decisively once our review is completed.

The previous government did little to strengthen the commission, instead diverting valuable resources to a parallel bureaucracy set up to enforce this quota law. This government is committed to making the changes required to achieve lasting solutions for this very important institution in our society.

Repealing the quota legislation is, for me and for my colleagues, a matter of conscience, but it is also a matter of economics. Coercive job quotas would also detract from economic progress by forcing employers into seeing employees not as individuals with their own respective merits or demerits, but as some strict category according to race, according to gender, according to disability. Hiring and promotion decisions would be skewed to include irrelevant and extraneous factors.

1630

The economic cost of such foolery would begin to match the moral and psychological costs. Clearly, if Ontario is to be open for business, employers and employees must be allowed to deal with each other without government imposing a new, ill-conceived version of its definition of "social justice."

As Ontario employers have repeatedly warned, a quota system compromises an employer's ability to hire the best-qualified candidate for the job. To say that this hinders economic growth would be an understatement.

I would like to quote the Ontario Chamber of Commerce when it told the standing committee reviewing Bill 79 that the most common complaint it had received from its members regarding the legislation in question—Bill 79—was that it "ignores the merit principle, which should drive hiring processes."

The Business Consortium on Employment Equity, representing 10 large Ontario employers, warned that Bill 79 threatened productivity and competitiveness and said, "The way to assist economic recovery and job creation is to ensure that our employment practices are based solely on merit."

Recently, a spokesperson for the Canadian Manufacturers' Association, commenting on our commitment to repeal this legislation, said: "The legislation disregarded the merit principle completely so that employers were not in the position to hire the best person for the job. That's a competitive disadvantage."

It's not only business that feels this way. During the debate on Bill 79, the Provincial Federation of Ontario Fire Fighters, for example, took the position that hiring practices should be based on the ability to perform the job.

I would like to quote from the township of Georgian Bay, for it was typical of many municipalities. They passed a resolution urging the hiring of the best person suited for the job as the most effective use of the taxpayer's dollar.

Ontario employers want to hire on the basis of merit.

Mr Alvin Curling (Scarborough North): Then do it.

Mr Clement: That merit includes hiring employees with a diversity of skills and backgrounds. They know better than anyone that Ontario's diversity is a business advantage and that their human resources are their most valuable resources. To Ontario employers, the merit principle is plain common sense.

Now, the honourable member for Scarborough North said, "Then do it." I agree with him. Do we have a way to go? Yes, we do. Not everyone understands how to hire on the basis of merit. That is why it is this government's commitment to work with business, work with employers, work with employees in a non-coercive way to ensure that hiring by merit is the way to go.

What they fail to understand on the opposition benches is that coercion does not work; it is immoral. Carrots work better than sticks, and in fact these sticks were breaking the bones of Ontario employees and Ontario businesses. We will not let this happen again.

Legislated quotas also bury employers in paperwork and create a large government bureaucracy. Repeal will save employers significant compliance costs, which they can use to invest and create jobs. We all know that jobs and opportunity were what this past election was about. That is why we are committed to jobs and opportunity in Ontario and why all of our policies are geared towards that end.

The repeal of this legislation will also save the government and the taxpayers a total of \$8 million this fiscal year and more in later years—\$8 million to save us from a failed and badly flawed piece of legislation.

The purpose of Bill 8, then, is to repeal a costly and immoral law. As the minister indicated, the government is also developing an equal opportunity plan for all Ontarians to work together with government in a non-coercive capacity. The equal opportunity plan will not require any new legislation or new coercion by government bureaucrats; it will not be intrusive. It will be cost-effective and it will be based on partnerships. Our plan will support the efforts of employees and employers to have fair workplaces where hiring and promotion decisions are based on merit. It will aim to remove and prevent barriers that hold people back for reasons that have nothing to do with bona fide job requirements.

Employers in this province know that they cannot afford barriers to opportunity.

Mr Floyd Laughren (Nickel Belt): Is that a young white male speaking?

Mr Clement: Well, the honourable member opposite said, "Is it a white male speaking?" Yes, it is a white male speaking. Perhaps he doesn't know a lot about me, but I too have faced discrimination. I too have faced the stares and the comments of people who do not understand. I know what that's all about. The fact is, I do not want to be judged on my background. I do not want to be judged on my country of origin. I want to be judged as a Canadian with merit to the job. That's how I want to be judged. That's how many, many people want to be judged.

In this province, employers know they can't afford the barriers to opportunity such as those often facing persons with disabilities. They want to be competitive. Some employers and their employees are already experts in equal opportunity measures, and one of our priorities is to encourage the sharing of this experience and expertise among Ontario workplaces. The direction of our equal opportunity plan was set in the consultation with the people on June 8.

Mr Laughren: Set by young white males.

Mr Clement: Well, the honourable member mentioned young white males again. In my riding of Brampton South we've got a lot of very different people, including people who are not white males. They said to me at the door that they did not want to be judged on their colour; they did not want to be part of a quota system; they did not want to be part of a coercive job quota system where they are not judged on the basis of merit but are judged on some extraneous factor. That's what they told me at the door, that's what they told 81 other colleagues at the door and that's why we won.

The Ministry of Citizenship, Culture and Recreation is taking the lead to turn this direction into practical support for Ontario's workplace partners. The ministry is contacting people from business, from the private sector, from the private sector employers, from labour, from community-based groups and human resource practitioners with expertise on equal opportunity in the workplace. Input from these people will help determine what initiatives will best advance the cause of equal opportunity in employment, what expertise and resources already exist in Ontario workplaces and how these can be shared, how to encourage the building of partnerships to promote equal opportunity—something the former government did not do—and how to meet the needs of the different sectors of the economy and regions of the province.

I am confident that our plan will enable the government, the employers and the employees to work together productively on creating workplaces where everyone is treated fairly on the basis of merit.

Mr Laughren: Absolutely. Some people will do very well. The people who wrote the Common Sense Revolution will do very well.

Mr Clement: The net impact of our legislative changes will be to allow the honourable member men-

tioned who wrote the Common Sense Revolution. I can tell him who wrote the Common Sense Revolution. It was average men and women who met in church basements, who met in temple basements, who met in schools. The people of Ontario spoke to us. That was the origin of the Common Sense Revolution, and we are proud of it.

What we are espousing is a different approach to workplace fairness in Ontario: an approach where the removal of barriers means widening the opportunity to compete for jobs, not trying to predetermine the outcome of the competition; an approach where inclusiveness means a workplace open to all, not a new form of exclusiveness; an approach where diversity is a business advantage, not a problem for government; an approach where people are hired on job-related grounds, on merit, not on quotas; and an approach where merit is the bottom line from both a moral and an economic perspective. I am proud to say Bill 8 is the first necessary step in this direction, and I am proud to speak in favour of it.

1640

The Deputy Speaker (Mr Bert Johnson): Questions and comments? The Chair recognizes the member for Scarborough North.

Mr Curling: Well, as soon as the seals sit down—good. The honourable member for Brampton South, in his effort to address employment equity, tells me how much he does not understand what it's all about. He emphasized all the time about access; it's about fair access. I don't think he understands that's what it is all about: to eliminate all those barriers that are there. You walk in here with your common sense and take away all the privileges that would allow that access.

I would ask the honourable member in his response if he is prepared to tell his minister—who sometimes I'm not quite sure too is in focus about what employment equity is about, but I know because you're so near to her and think in the same kind of light that somehow you will bring some of this thinking to her—that there is a study that was done called Access to Trades and Professions in Ontario. I would ask you if you are prepared to introduce that policy about access to trades and professions.

You talk about merit. There are people there, all those people who have the merit to enter the workplace but have been shut out and some of the professional organizations and all that which have restricted these people. So I'm going to ask you when you rise to say that yes, you will support that being introduced.

Now I'm telling you, too, that when your party, your government starts admitting that there are barriers that restrict people from coming in—in those four designated groups which have been identified by all the studies, which none of you seem to have read—there are systemic barriers, break those down and stop telling us, "It's on merit." Merit for those who are inside, but think about those who have the merit who are outside.

Mr Marchese: We're hearing some of the same speeches over and over again. It's interesting. There's material there for a couple of hours in what the member for Brampton South has said. I must say that the mem-

ber's comments are breathtaking. To say that I am offended by his remarks is an understatement. He says that Bill 79 weakens our social fabric. It is such an irresponsible comment to make. It is so completely irresponsible that it offends me. I don't mind reasonable remarks made by members, but when they are so extravagant as to almost be ludicrous, it's offensive.

Then he says it detracts from economic progress when we hire based on race and disability. It isn't right. Bill 79 did not say, "You will hire someone because they're black." Bill 79 does not say, "You will hire someone because they're disabled." Bill 79 says, "Make sure that you represent your workforce." It doesn't say in fact that you should hire the unqualified people, but hire the qualified ones. That's what it says: "Hire those who are qualified. They are underrepresented."

He goes on to say that the quota system is dangerous. This is not a quota system. He does not tell the truth about this bill, and he knows it. He talks about people wanting to succeed by their own merit. That's exactly what people of colour want to do: succeed by their own merit. What they want to do is to protect their individual rights and their collective rights, and this government, through Bill 8, is destroying all of that, destroying all of it. That is immoral.

Mr Joseph Spina (Brampton North): Mr Speaker, on a point of order: He has accused the member of not telling the truth.

Mr Marchese: Mr Speaker, he's taking some time away from me, but I refer you to the clerk to indicate that what I've said was not that, and he knows it.

Mr John R. Baird (Nepean): I'll say to the honourable member for Brampton South that that was a fine speech, in the very best traditions of this place, very well researched and a varied discussion and debate on whether there are quotas maintained in the bill.

The first step: Do research. The second step: Develop the numerical targets. And the third step is the \$50,000 fine if you don't live up to it. If that's not a quota, I don't know what is.

In response to the member for Brampton South's speech, I can only say to him that those in our society most opposed to quotas, those who were most offended by the bill of the previous government, were probably those, regrettably, in the designated groups themselves.

I know members on my side of the House heard this from doorstep to doorstep to doorstep as they went campaigning in the last campaign. They told me and my colleagues that these quotas offended them, that they lessened their legitimate successes, that it hurt their dignity and questioned their very self-worth. I think that is a real statement to make, that those of us on this side of the House heard that on doorstep after doorstep. It was a tremendously big issue during the last election campaign.

We made a very clear and unequivocal commitment to follow through to repeal this legislation which we believed was wrong.

The member for Brampton South spoke of a sea of individuals. We on this side of the House believe that

Ontario's greatest resource is its people and that we must deal very effectively and very strongly with discrimination. That's why we have a strong Human Rights Commission, a strong Human Rights Code, that will continue to be able to deal with this issue. Discrimination, as the member pointed out, is illegal in Ontario, and the Human Rights Commission is put there explicitly for this purpose, to redress these situations.

I again commend the member for Brampton South on a most excellent speech.

Mrs Marion Boyd (London Centre): In response to the member's question, one could speak for a couple of hours. He certainly took my breath away, I can tell you.

I'd like to respond to just one of the comments he made. He went on and on about how his government believes in carrots, that it doesn't believe in coercion. Well, he should tell his Minister of Community and Social Services that.

One of the issues around employment equity is that the only place where the people who are in the designated groups are overrepresented is among the poor and those who are unable to obtain employment.

I should tell the honourable member that it is one of the ways in which we enable people to become self-sufficient and not depend on social assistance: through a carrot, a carrot we all share as employers and employees, by looking at ourselves and the systemic discrimination we practise in our own workplaces. We practise systemic discrimination in this workplace often.

One of the things we all learned as we went through the process of Bill 79 was how to recognize barriers that may not seem to us, when we are privileged, to be barriers. When we are fortunate enough to be among the overclass in this society, we very often don't see what is a barrier to another person seeking employment. The whole issue around the employment equity bill is to help all of us together, as a community, to recognize the way we discriminate against one another, whether we mean to or not.

What you are proposing is to put everything back into a fault system, where someone has to recognize that they've been discriminated against, make a complaint and carry that complaint through a very cumbersome process. That will never solve systemic discrimination. It is in itself a barrier to the end of that discrimination.

1650

Mr Clement: I thank the honourable members for their incisive commentary on my comments. I would like to respond first to the member for Scarborough North with his question relating to barriers to access to trades and professions. I can respond in the House that in fact this is of grave concern to the minister and myself. Certainly, from our perspective, there is a role for this government to play, to work in that area to remove some of those barriers, and we would very much appreciate his suggestions.

Now, the honourable member also suggested that I haven't read all the reports, that I'm somehow ignorant of the various reports that led to that calamitous piece of legislation. I can assure the House that I have read the

Cornish report in its entirety and I absolutely disagree with everything, in its entirety, as found in that report. It's an immoral report. It is a report that brings everything in the wrong direction. It does not really help those whom it professes to help.

I was called irresponsible by the member for Fort York. He calls it not a quota bill. I say otherwise. I would refer you to Ontario regulation 390/94, subsection 17(4) of that regulation under the Employment Equity Act, which requires the employer to provide a list of numerical goals described in section 18 that would be achieved during the term of the plan, and section 5, a description of the timetable for implementing the measures and achieving the numerical goals. Numerical goals by any other name are job quotas.

The honourable member for London Centre said the designated groups are overrepresented among the poor. I agree, and that is why we need jobs and opportunity in this province, tax cuts in this province, an end to government being the solution to everything in this province. That is why the status quo will not work and that's why this government was elected.

The Deputy Speaker: The Chair recognizes the member for Fort William.

Mrs Lyn McLeod (Leader of the Opposition): As I rise to speak on this legislative proposal from the government, I can only suggest that this government's decision to repeal the Employment Equity Act and any and all other related legislation is yet another example of a pendulum swinging from one side to the extreme on the other side. It is another issue, I suggest to you, on which this government is very quick to act to undo something, but it has no plan, and I suspect it has very little will to act, to put something better in place.

All we've had from the Minister of Citizenship, Culture and Recreation to date are more of the empty words and the meaningless commitments to do something some day, and I suggest that those kinds of empty words and meaningless commitments are becoming this government's specialty.

There is no sense of balance or moderation in this government's agenda on any issue, and we see that again as they act to repeal all the work that has been done over the years to ensure greater equity in the workplace.

Once again, this government's in a hurry to prove that it can do one part, just one part, of what it said it would do. Unfortunately, the part they're anxious to show they can do is the destructive part, the part that's easy, because repealing something that others have put in place is easy. Creating a new program, implementing a new program is much more difficult, and this government has not even begun to act on that part of its commitments, whether on employment equity or in any other area. You wonder, on this as is in all other areas, if we will ever see the other, constructive part of the commitments.

This is a government in a hurry—in a hurry to show how tough it is. Certainly it's a government, as we have seen time and time again, that is in much too much of a hurry to hear from anyone who might have a different view of what's needed. They are in too much of a hurry

or else they lack the courage to hear from those who might disagree.

So the government House leader called for debate on this legislation, legislation that affects the very principles of equality which define our society in this province and this country—he called for debate on that legislation on a day when our hearts and our minds were focused on our concerns for the future of our country. The House leader called for debate on this legislation last Thursday. He called for debate with two hours' notice. They had introduced the legislation with no notice at all, and then called for the debate on a day when clearly we were all focused on issues of importance for all of us.

I think this government clearly wants to do this deed with as little notice being given—or, hopefully, as little notice taken—as possible. I wonder if they are perhaps just a little bit ashamed of what they're doing, or are they simply afraid of the opposition?

I would like to look at the record of this government on listening to people who might have a different view. We've seen the government cancel consultations on hospital amalgamation, as the member beside me from Ottawa Centre knows well. We've seen them cancel the consultations right across this province on school board amalgamation. We've seen them ram through the labour legislation with no hearings at all. The Minister of Education and Training now, who cancelled those hearings on school board amalgamation, acknowledged, he actually acknowledged, that even if they'd had the public consultations, they weren't going to listen to anyone who came forward anyway because the only people who might come forward in a consultation would just be dismissed as representing special interests.

I expect that if it comes to consultation on employment equity legislation, this government would consider women and visible minorities and aboriginal people as simply having vested interests, because this employment equity bill, or non-employment-equity bill, as it might be better called, will affect them. So women and visible minorities and aboriginals will not likely be listened to because they will just be vested interests clearly affected by the government's actions.

Then there's the disabled, the other group which will be so profoundly affected by this government's bill. They would most certainly be seen as a special-interest group, and the disabled would be doubly suspect because not only are they a special-interest group, a group with a vested interest affected by the legislation, but this is a group that has already had the nerve, the sheer temerity, to express their concern about the way this government has already hurt them. So they are doubly suspect and most certainly not likely to be listened to in any consultation.

So in entering this debate today, I want to call publicly on all those who are concerned, deeply concerned, about our ability to make progress in ensuring a more truly equal opportunity to make their views known, whether this government wants to hear from them or not. Because we know, even as we rise to participate in the debate, that this legislation is going to pass. Government guarantees that with its majority, and when this particular piece

of legislation passes, the fact is that we're simply going to be left with nothing. We cannot amend the legislation to improve it, because there will be no legislation. We'll be dependent on the goodwill of this government to take the steps that are needed to provide support and encouragement and assistance for people who seek a more equal opportunity and for employers who want to offer a more equal opportunity because they believe in it in principle and because it makes sense in practice.

We have absolutely no indication at all from the government that there is any particular will to take the next steps, so it's a little frightening to think that any future progress is dependent on the goodwill of this government. We just have to look at the details of what the minister has said they plan to do to see that there is little will to act, because I have to emphasize the word "plan." The minister, when she introduced this legislation, said she would develop "a sensible, cost-effective, equal opportunity plan that will support employer and employee efforts to remove workplace barriers and share equal opportunity expertise."

I have no idea what the minister meant when she said she was going to develop this kind of "sensible, cost-effective, equal opportunity plan," and we may never know what it means, because right now all it is is just words. They're only now working on a plan. I ask the minister very directly, if you're only now working on a plan, why are you in such a hurry to repeal the legislation? Why wouldn't you wait to repeal the legislation until your alternative plan is available?

It seems to me the two things fit together. You repeal the legislation you think isn't working and you put in place your plan that you believe, as the minister says, is a better, sensible, cost-effective, equal opportunity plan. But in fact this government is in too much of a hurry to undo, to show how tough it is, to take the time to put its plan in place first.

1700

If they're afraid that the new legislation would have an impact they're worried about, they could suspend the implementation of the old law. They don't need to bring in legislation, focus our time and our energies in defending the government's desire to put nothing in place. They could suspend the old legislation, bring in their plan and allow us to debate whether their plan is indeed sensible and cost-effective and a good equal opportunity plan.

The government's not going to give us that opportunity. All the government is going to let us debate is whether it's okay to have nothing in place. I don't think you can take away everything and put nothing in its place. I happen to believe that truly is irresponsible government.

Now this minister describes this bill as "a major step towards building a province"—I'm quoting the minister when she introduced the bill. She described it as "a major step towards building a province in which all Ontarians are afforded equal opportunity in employment."

But I suggest to her that this bill doesn't build anything, and it is certainly not a step towards anything, not without an alternative plan in place, and with no demon-

strable evidence of a government that's prepared to keep its broader commitment. Without that, this can only be seen as a giant step backward.

During the election campaign we did see what looked like a reasonable proposal from the Conservatives. In fact, as I looked at it during the election campaign, it looked remarkably like the employment equity proposals that we were putting forward. I suggest to the government members, who are unable to look behind the advertising that their government put out in campaigning, the six-point plan, the backgrounder plan that went behind those rather simplistic statements that they liked so much when they were campaigning—I sort of thought that maybe the plan that was put out in the backgrounder, the six-point plan, carried some sense of commitment on the part of Mr Harris, who is now the leader of the government, and all those who were seeking to be elected along with him. So I think it's legitimate to suggest that the government had the makings of a plan, and I'm surprised that it hasn't brought it forward.

Let's look at the six-point plan. That plan clearly said that a Conservative government, a Mike Harris Conservative government, would help employers develop plans and remove systemic barriers to employment.

Hon Charles Harnick (Attorney General, minister responsible for native affairs): That is exactly what we are going to do.

Mrs McLeod: That six-point plan, I say to the Attorney General, did not say that government should just get out and let employers decide what they were going to do. It said you would help develop plans and remove barriers, and without a plan I don't believe there is any evidence that this government will ever do anything to help employers put those plans in place and deal with the systemic barriers that exist.

In fact the government has gone even further than simply repealing the legislation that the New Democrats brought in. They've gone even further in undoing the kind of good that has been done in furthering employment equity, because they had to go beyond repealing the NDP act and they had to repeal those sections of the Police Services Act that require every police force to put employment equity plans in place. Now, that simply required police forces to put plans in place. It was legislation that was passed in June 1990. It's legislation that has supported increased equity in the police forces across the province.

I notice that when the Solicitor General got up to say that they were going to repeal these sections of the Police Services Act, he said you do not need legislation to develop "a barrier-free, discrimination-free policing service," and he went beyond that and he said that "We"—and I assume when the members of the government say "we," and particularly when members of the cabinet say "we," they do mean the government. They mean, "We, the government, are going to act."

"We will ensure that police forces continue...to operate in accordance with the Police Services Act" to "be sensitive"—and again I'm quoting the minister, the Conservative minister who introduced this—"be sensitive to the pluralistic, multicultural and multiracial character

of Ontario society," "as they have done admirably over the past few years"—and I stress the fact, "as they have done admirably over the past few years."

The Solicitor General said that police forces have "adopted race relations policies," they've "put into place barrier elimination practices," and he recognized the importance of the diversity that we now find in our police forces in achieving the transition to community policing.

Now I wonder, would any of that have happened if those particular sections of the act had not been in place? And if it is already happening, as the Solicitor General assured us it is, that police forces have been following admirably the provisions of the act, and he was praising the way in which they have become more representative of the diversity of our population, then why is it necessary to repeal the legislation? I'm not sure what problem the government is trying to address.

Then we see the fact that the legislation goes even further than that. It doesn't just undo the good that has been done, the attempts that have been made in the past to provide support for greater equity in the workplace; it actually penalizes employers who are already developing their own plans. It forces them to destroy the data that have been gathered. Again, I have to ask, what is this Tory government so afraid of?

I quote the clause from the act:

"Every person in possession of information collected from employees exclusively for the purpose of complying with part III of the Employment Equity Act, 1993 shall destroy the information as soon as reasonably possible after this act comes into force."

We all know, and surely the members opposite know, that many employers have implemented or they're in the process of implementing employment equity plans because they want to ensure that they are making the most of their human resources, that they are not neglecting the development or failing to benefit from the full potential of their workforce.

Now the data that they have been gathering voluntarily because they are committed to employment equity within their own workplace, because they do believe it in principle and because they believe it makes sense, might also have been used to implement employment equity under the act. Why would you want to duplicate the collection of data for the purposes of the act? Does all of that work now have to be sacrificed? I have to ask why.

Even if data on the workforce have been gathered exclusively for the purpose of the act, what possible danger is there in allowing employers to keep the data? Have they no faith at all in what employers across this province would do with the data? Is the government afraid that employers might voluntarily proceed to put employment equity plans in place? Do they want to make it simply too costly to proceed by forcing every employer to redo all of the work that's been done?

If the government can tell me where the sense is in all this, I would appreciate some clarification, because this is one where I can find no possible explanation, even if I try, as difficult as it might be, to put myself in the ideological world of the members opposite. I can't understand why this makes any sense to them.

This goes so far beyond the political decision to repeal the act. It is clearly deliberate. It's not an accident. There's no way the minister is going to be able to come back and say that this was yet another drafting error, which the government is so prone to.

Mr Gerretsen: Don't bet on it.

Mrs McLeod: Right. As the member for Kingston and The Islands says, "Don't bet on it." We have seen further stretches of common sense in this government's hands. But there's no explanation for this seemingly inexplicable piece of this legislation.

Another part of the Tory six-point plan was to replace what they call the discrimination of quotas with the merit principle. I think, in fairness to our colleagues in the third party, we should acknowledge the fact that the act, as it currently stands, did not impose quotas. It was the requirement, and members opposite have noted this, to present numerical targets that could be easily implemented as quotas that was the concern. It was the fact that the government was prepared to back up those numerical target plans with financial penalties that led to the concern that numerical targets in fact would become imposed quotas.

But the real problem was not what was written into the legislation; the real problem was what people feared from the New Democratic Party government in the implementation stage. And I do think, in fairness, that calling this new bill the Job Quotas Repeal Act is simply a cynical political tactic, and again it is not worthy of responsible and thoughtful government.

1710

Having acknowledged a concern that the members of the third party would want acknowledged, there is also no doubt that we saw, over past months and years, blatant exclusionary approaches in what the NDP government did in advertising. There's no doubt in my mind that that kind of blatant exclusionary approach created fertile ground for this extreme Conservative reaction. But I do not believe that it was necessary and is necessary to repeal this legislation in order to ensure the primacy of the merit principle. The act could have been amended to make it clear that quotas cannot and will not be imposed, but what this government leaves us with now is again nothing.

I suggest to the members opposite who want to make every single speech about quotas and about the importance of the merit principle that the merit principle is not and will not be ensured in the absence of a plan to enhance equal opportunity. There are too many capable people who are denied a chance because there are real barriers, both blatant and subtle, that prevent their full opportunity to be considered for a job or a promotion.

I believe, in the absence of a plan to provide support to employers, to understand what the barriers are and to address them—the very kind of plan that this government supposedly was committed to bringing in—the workplace loses a chance to know who is truly best. How can you have a merit principle if you have no sure way of knowing who is truly the best?

I suggest that word-of-mouth hiring does not ensure

equal opportunity to apply and to be considered for a job or a promotion, and I suggest that internal hiring policies don't expand the representativeness of the workplace. Neither situation constitutes deliberate discrimination. It is discrimination that is built into the system. That's what we call systemic discrimination. It is never recognized as discrimination; it is just the way things have always been done.

The member for St Catharines, I noticed in the debate on Thursday on this bill, raised a concern about the role that nepotism can play in public sector hiring. The member for St Catharines actually suggested that it might be possible that nepotism could get in the way of the merit principle the government claims it's committed to.

I think that the member for St Catharines may well have valid concerns about nepotism, but it may not be nepotism that's a major problem. As I understand nepotism, it's the hiring of members of the same family. But I do think that the problem we could have that will very much get in the way of the merit principle for this government is something called "cronyism." It's a question of who you know, and it seems to me that Tories know Tories best.

In raising this concern about whether cronyism, the way things have always worked, just might get in the way of the merit principle, I refer to the expertise—I think probably the inside knowledge of what she should be concerned about in her government—to the question that was asked by the member for Mississauga South, who's the chair of the government caucus and who I think must share the same concern that we have on this side of the House, because she very recently asked the Chairman of Management Board, a member clearly of her cabinet, for an assurance that as this government proceeds with its apparently extensive and never-ending plans to privatize everything government does, the new contracts that are going to be handed out will not just go to Conservatives. In fact her specific words were, on October 25, "Please assure me that this isn't going to be some kind of fire sale for friends of the government."

Now, if the member for Mississauga South, who is a member of the government—in fact a senior member of the government caucus, the chair of the government caucus—shares that concern, then we have to ask the question. It is rather strange for a member of the government to use question period to ask for that kind of an assurance from one of her own ministers. I can only assume that she's genuinely worried about it and that she somehow got past the House leader in question period to be able to ask the question.

If anybody is shocked to find that one of their own members asked the Chair of Management Board whether or not this would be a fire sale for friends of the government, I direct them to Hansard of October 25, in which the question is clearly stated and the response and assurance hopefully given. So clearly the concern was there for the member, a matter of Hansard record.

This government has also said, the minister said when she presented her legislation, that employment equity legislation—of course she's not presenting legislation; she's presenting the repeal of legislation. It's hard to

know how to describe what the government is doing when it's non-legislation it's presenting. But as she presented her bill she said that employment equity legislation is not needed because discrimination is illegal. That was the sole defence this government offered for presenting this bill: We don't need it because discrimination's illegal.

I suggest that it is not enough to ensure that there is no discrimination, as basic as that is to equality. It is simply not enough. Discrimination was made illegal in 1981, it was prohibited by the Human Rights Code, but I don't think that who gets hired and who gets promoted has changed very significantly since then.

I won't take time to read a lot of statistics into the record—I'm sure there will be a lot of statistics offered during the course of this debate—but I do have some that I think are significant from a 1991 report on employment equity in the public service of Ontario, where I think we would all agree the example of government commitment to employment equity should be set: in the people who are hired and the people who are promoted within the Ontario public service.

In 1991, 77% of all women in the Ontario public service were employed in 10 of 124 OPS occupational groups. Now, those groups employ only 48% of all OPS employees, but 77% of those employees were women. Twenty-two per cent of all jobs were in the office administration group; 42% of all women were employed in the office administration group. Women represented 47% of the Ontario public service workforce. It doesn't sound like a bad number if you're just looking at numbers, until you look at the jobs women were in and until you look at the fact that with 47% of the Ontario public service workforce being female, only 26% of women were in the executive compensation plan.

We see the same kinds of statistics for racial minorities. Racial minorities represented 12% of all Ontario public service employees, but only 5% of those were in the executive compensation plan—only half, numerically half of the total workforce.

I think statistics are equally telling when we look at disabled and aboriginal people in the Ontario public service, but the fact is that the numbers of people employed are so small that it's difficult to get a sense of the magnitude of the problem.

If we look beyond the Ontario public service and we look across the broader public and private sectors in Ontario, again using the 1991 census figures, we see that 71.6% of all clerical workers in Ontario were female, that 67.6% of all sales and service workers in Ontario were women, and—a telling figure—17.7% of senior managers were women, obviously as opposed to 82.3% of senior managers who were men.

Hon Mr Harnick: I wonder who was in the government before that. You were the one who left those numbers.

Mrs McLeod: Those are just a few statistics, but I think they suggest that it is simply a fact that making discrimination illegal is not enough. I say to the members opposite that they must understand that there are barriers,

barriers beyond outright discrimination, that must be addressed if we're to make progress towards truly equal opportunity.

The Attorney General interjects that other governments have not yet solved the problem of equal opportunity in the workplace, and I say amen to the Attorney General. We have not yet adequately addressed the problem of how we provide for truly equal opportunity in the workplace, and that is why it is reprehensible for any government in 1995 to simply repeal what has been done and put nothing in its place to address the real barriers, and we see nothing from this government. In fact, not only do we see nothing—

Hon Mr Harnick: That is not true, Lyn. There is something coming and you know it.

Mrs McLeod: The Attorney General says something is coming.

Interjections.

The Acting Speaker (Mr Gilles E. Morin): Order. Take your seat, please. I'd just like to remind you that if you want to heckle, you have to do so from your seat, and that applies to everyone.

1720

Mrs McLeod: Having said that it's not enough to make discrimination illegal, that that's not enough to deal with the real systemic barriers to equal opportunity, I go further than that in suggesting that this government is not even ready to deal with the problems of discrimination itself. This government and this minister said in introducing the bill that they are going to address the problems of the Human Rights Commission, but only, and again I quote, "in the longer term." I have to wonder how long that particular term is going to be.

The Conservatives were much less hesitant about their commitment to deal with discrimination when they were campaigning, because one of the key points in that six-point plan they put out was "to show leadership through a policy of zero tolerance for discrimination in government hiring and promotion." Now the minister, last Thursday, was talking about employers and employees having the responsibility to create an environment in which there is zero tolerance for discrimination, once again passing the responsibility for solving the problems on to someone else, which is another early trademark of this government.

I wonder where the leadership is from the government. They certainly didn't set much of an example when they fired four members of the Social Assistance Review Board—and members will remember that they claimed that they were cutting costs when they fired four members of the Social Assistance Review Board—and then turned around and hired—

Mr Crozier: Got to make room for Tories.

Mrs McLeod: Exactly. They hired long-time Tories to replace them.

We've raised this issue in the House, but today I raise it because I wonder whether that is an abdication of this government's supposed commitment to zero tolerance for discrimination. I suspect the government would say: "No, no, no. We're not abdicating our commitment. How can

the member for Fort William possibly be talking about hiring Tories for the Social Assistance Review Board as being an abdication of a commitment to zero tolerance for discrimination? We're not discriminating. This is just the way it's always been done." Well, exactly. It is the way things have always been done, and that's what systemic discrimination is all about.

The Conservatives said in the campaign that they would help victims of discrimination by reforming the Human Rights Commission. They also promised, and this is a promise in writing, to redirect a portion of the money that would be saved by winding down the Employment Equity Commission and redirecting that to the Human Rights Commission. But on Thursday, I noticed, the minister talked about her new plan being cost-effective. She never mentioned—I don't understand why—redirecting a portion of the savings to the Human Rights Commission. I noticed that the member for Brampton South in speaking earlier this afternoon said that his government would save \$8 million with this legislation; there was no talk from the member for Brampton South about how much of that \$8 million was going to be redirected to the Human Rights Commission.

Maybe this is because the reform of the Human Rights Commission is only going to be done over "the longer term," whatever that means. I get the feeling that this promise of redirecting funding is like the promise not to cut health care: It's going to be one of making the cuts now and waiting until the next election before we ever see the reinvestment of the dollars. I suggest that just as health care is needed now, reform to the Human Rights Commission is needed now.

The fact is that as important as it is to deal effectively with discrimination and as reprehensible as I believe this government's failure to take the action it said it would take to reform the Human Rights Commission and redirect funding to it is, the gains in equity over the past years have not been the result of anti-discrimination laws. They are the result of affirmative action programs, affirmative action programs that had been mandated and funded by the central government.

I have to wonder what kind of commitment this government is going to make to affirmative action and, even more importantly perhaps, what kind of dollars they're prepared to provide to this. We know they're winding down the Employment Equity Commission. We wonder whether they're also going to collapse the Centre for Disability and Work in the Ministry of Labour—or maybe that is already gone and we just haven't learned about that yet. But it was there to provide advice to employers, supportive advice, on how the employers could address barriers for the disabled.

We know that over the years the women's directorate has provided effective consultation on the change agent program. They've worked with employers like the Canadian Manufacturers' Association, Ontario Hydro and Westinghouse to develop employment equity plans. This is the kind of positive, supportive role that government can and should be playing. I wonder if there will be any positive capacity for consultation or support after this government is done with its cost cutting.

The Conservatives' six-point plan—and I have to keep coming back to this, because I perhaps naïvely believed that that background commitment of what a Mike Harris government would do on employment equity carried some commitment. So I come back to it and recognize that the six-point plan also talked about the importance of training to give people the skills they need and the education of employers so that discriminatory practices would be recognized.

I really do believe—it's one of the reasons I thought maybe the Conservatives would be on the right track with employment equity—that those kinds of actions would be a step in the right direction in dealing with barriers to equity. We can only hope that if we ever see a plan, education and training will indeed be part of it.

But all we've had to this point from the Minister of Education and Training is the repeal of the sections of the act which allowed the Minister of Education to require school boards to develop and implement employment equity policies for designated groups. No talk about education, no talk about training—just more repeal of existing legislation.

This legislation was permissive; it was permissive to the minister. It gave permission to the minister to require school boards to put plans in place. I wonder, did the government think it was even too dangerous to leave the Minister of Education with permission to deal with employment equity?

Mr Crozier: It's dangerous to leave that minister with anything.

Mrs McLeod: It could be.

The minister, in introducing this bill, said it would be good news to the workers and the entrepreneurs of this province. Well, I fail to see how it is good news to workers when it offers nothing constructive. If it is only supposed to be good news for entrepreneurs—because I notice they did not say "employers"; they said "entrepreneurs"—if it is only supposed to be good news for entrepreneurial employers, why were they in such a hurry to scrap employment equity in the public sector, which was in fact the only sector where implementation was to be in place in September of this year? Again I suggest that this is a government in a hurry but a government with no idea of where it's going. It hurries only when it runs backwards, which is the only direction it understands.

Maybe that's the only direction it wants to go or intends to go: straight backwards. Maybe it sees no role for government at all, other than to get out of the way of those entrepreneurs. That is not a view of government that I could ever accept, because I happen to believe that government does have a role to play in supporting and encouraging and ensuring fairness and equal opportunity for each of its citizens.

It seems to me that there is a big difference between respecting the merit principle and resigning ourselves to a survival-of-the-fittest world, because those of us who reject the view that only the strongest and the most fortunate should survive and flourish believe that a lot of human potential could be realized if we support its recognition and development.

I do not believe that the route to real equality lies in a quota-based approach. I never have, and I have spoken publicly on this often. To me, quotas are a guaranteed access, and I don't believe that's what people in the designated groups want. Women and visible minorities and aboriginal people and the disabled all want an equal opportunity. They don't want to be given positions because they're needed to fill up a numerical target. That approach carries with it an implicit assumption that members of the targeted groups would not be successful if they were given an equal chance, and that assumption implies an acceptance of inequality, which I will not accept.

There's no question that people are different. They have different skills and aptitudes and interests. But they are not unequal by virtue of gender or race or disability.

I also believe that a quota approach is the wrong direction because it sets people up for failure. No one wants to be given a job that they're not ready to handle or are not particularly suited to. No one enjoys the experience of failure, and deliberately creating the conditions for someone's failure is truly unfair.

I think what people in the designated groups want is a recognition that there are barriers to having an equal chance to be considered and to compete, and they want government to be active in addressing those barriers.

The barriers are different for different groups. The barriers faced by women, for example, are very different from those that are faced by visible minorities. The disabled face quite different challenges unique to each disability. The barriers that face a particular group differ in different workplaces and different geographical areas. The concerns of aboriginal people who live on first nations reserves in southern Ontario I know are not the same as those from reserves in my part of the province, in northwestern Ontario. There is no blanket approach that will address the concern about barriers.

1730

More than that, the barriers themselves are often subtle, rather than blatant. Some barriers that somehow we have to deal with are the result of persistent stereotypes. It has been suggested that some of those stereotypes have even now gone into code so the stereotype isn't so obvious. I just use one example. Women being not tough enough, for example, is code for the old stereotypes of all women as soft and emotional and indecisive. "We need an assurance of your long-term commitment," I suggest is code for, "We know you're going to take time off work to have a baby." I think we've made some progress. I think it's no longer acceptable to say, "Back to the kitchen, baby," so the code becomes more sophisticated and rather more difficult to challenge.

I know that the barriers of stereotypes can only be defeated by exposure and by time and by the success of those who shatter the stereotypes. That is a long, slow process. But there are more tangible, more readily identifiable barriers that can be and must be addressed, with government's help: the barriers of training, the barriers of language, the barriers of access to trades and professions. I know this is a sensitive issue to raise, because we have a report on access to trades and professions which is now I believe at least five years old,

and its recommendations have gone absolutely nowhere. The New Democratic Party government, with all of its stated commitments to employment equity, did nothing to deal with the barriers related to access to trades and professions.

I am prepared to have the government bring forward the recommendations of that report and say, "These recommendations simply can't work." If that's the case, then let's bring them forward and acknowledge that they can't work and why they can't work. Let's know at least what the recommendations are and then let's decide to take another route. But simply continuing to ignore the work that's been done and to ignore the fact that there are real barriers to access to trades and professions is something that cannot continue.

We know that there are physical barriers that have to be overcome if physical barriers are not to be forever limiting to the disabled. There are supports to individual learning that have to be provided if learning disabilities are not to continue to be unnecessarily frustrating to those who have finished with their schooling and are ready to take their place in the workforce.

There are issues of how we harmonize work and family responsibilities that have to be resolved if both men and women are going to be able to participate fully in the workplace and pursue careers, and we know, just as again one example of a barrier, that in the absence of affordable child care there is a major barrier to equity. Yet this government is withdrawing support from the provision of new subsidized child care spaces.

The list goes on. I couldn't make it exhaustive and I wouldn't even attempt to. But I hope the point is made, because the point is that government does have a role, and it must be an active role, in helping to identify and address the barriers and ensure that equality of opportunity is there. There is no detailed plan that will fully and adequately address all the issues that can be put in place here in Queen's Park, but the government's plan surely must be to recognize all the areas in which it can play a part and then commit itself to doing what can be done.

We should not be focusing all our energies on end goals and numbers, although we should and must have ways to track the progress that's being made. We don't have to create a cumbersome, costly and ultimately ineffective enforcement mechanism, but rather we should be using the resources of government to work positively and constructively with employers to make progress. I believe in the past that has been happening.

We can and we should find creative ways to provide incentives—not penalties but incentives—for achieving more equal opportunity in the workplace. But the real incentive will come with a greater understanding of how much we gain by making the full use of all of the resources of our workforce and all of our human potential.

Employment equity is good for business, as many businesses have already discovered. Left on their own, however, many businesses and people in the public sector workplace will have difficulty identifying the barriers, let alone addressing them, and that's why government must play a part.

So we will anticipate this government's plan, if it ever comes. We will be ready to scrutinize it and to follow the commitment, if any, that this government brings to its implementation. In the meantime, since we have nothing yet but words, we must call on the government for some specific action to reform the Human Rights Commission, to deal aggressively with discrimination, to not force the destruction of information that could be used to enhance equity in the workplace, to not interfere with employers' good intentions, to do more than just get out of the way, and to bring in their plan so that we have some sense that this government is committed to doing something more than just repealing the legislation while it puts nothing in its place.

The Acting Speaker: Questions or comments? The member for Hastings-Peterborough.

Mr Bart Maves (Niagara Falls): Oh, I'm sorry, Mr Speaker. I'm not in my seat.

The Acting Speaker: You're not in your seat, obviously. The member for Scarborough North.

Mr Curling: As I listened to the leader of my party address the issue of employment equity, I hoped the members were listening. I hope that the Conservative Party, who have gone on, as they have said, to destroy, not to build and put a structure in place, start listening to the things that the leader had said. Because the member eloquently put in place the fact what equity's all about, what employment equity's all about.

She reminds us that systemic discrimination is the issue that we speak about, the fact that barriers are placed in front of people just because they are minorities, just because they are women, just because they are aboriginal people and the disabled, and to realize that, as she put the case so eloquently, the fact is, how can you then look at legislation that was in place that addressed these issues and come and talk about readdressing these issues and just come like a search-and-burn approach to things, wipe it all about?

She reminds us about the fact that the Police Services Act had something in place that was working, and if you want to just take an example of that, look back before that was in place in the police service and find out what was happening, who was representing us on the police force. Today, as I say, it is working because of the employment equity legislation, the policy they put in place.

To go back, as she stated, to pull that out after recognizing the fact that it's working tells me: Take another look, and please, as you search and destroy, put something in place that we can call an equity legislation.

Mr Marchese: I find myself agreeing with most of what the leader of the Liberal Party has said. I would remind her, however, and the others that they did vote against Bill 79, and it appears from everything I have heard that they support much of what we did in Bill 79, so I'm delighted to hear that.

I would ask her for some clarification on some statements she made to a ministerial statement a week or two ago—I'm not sure—where I heard her say that Bill 79 was a guarantee of a job. I disagreed with that statement because Bill 79 does not guarantee jobs to anyone. It says

that you've got to represent your communities, but you still hire based on people's qualification, not based on colour or sex or disability. So I'm not quite sure what she might have meant by it, but she might have an opportunity to clarify that.

With respect to the whole issue of "not penalties, but incentives," I have to disagree strongly with that because it sounds very much like what the Tories are doing. They want to give incentives to people as opposed to penalties. It can't be done. It's all very nice to say, "Please do it, employers; it's nice for you," but it doesn't work on its own. It simply does not. The point of penalties, as we did with the \$50,000 fine, is that we gave them goals and timetables, leaving employers to make up reasonable efforts to achieve them. The point of the fine is, if the employer is found not to be making reasonable efforts, they get fined. What is wrong with that? That's an incentive, to say to employers, "We want you to do it, and if you're going to say 'absolutely no' to this, there's a penalty." We think that enforcement of those rules and those laws is important to do through such measures.

1740

Mr Maves: I hate to bring up old wounds and tired phrases, but I have to congratulate the Leader of the Opposition. She set a new speed record today for flip-flopping. The first half-hour, she spoke against the repeal of job quota legislation. Then at the start of her second half-hour, she shifted gears and she was against job quotas.

She's also in favour of affirmative action. Well, that strikes me as odd, because I want to let her know about her party's position, apparently, on affirmative action as stated by the member for Oriole. She said:

"People find quotas offensive, I find quotas offensive, and that's not what people want. When you have a quota, what that says is that in order to meet your quota, you will likely hire people who are unqualified. That's a result of the affirmative action programs in the United States." Surprising, Mr Speaker.

I also want to talk to the member opposite about her position in her red book: Ontario Liberals "believe that the guiding spirit in workplace decisions should be merit, not quotas."

What did she say in the leaders' debate, May 18? I quote. The Leader of the Opposition, May 18, says, "I would not continue with an approach that's been taken by the current government, which in my view is based upon a quota by any other name." Therefore, I'm sure she'll vote in favour of the legislation and live up to her campaign commitments. It's only logical that she would do that.

I want to quickly turn to the member for Nickel Belt who offended me and others in the House by continually labelling people in this room. The whole point is that as a society we're trying to get past this member's type of compartmentalized view of society. We will never get past his old-fashioned view if we enshrine the categorization of human beings in our own legislation.

Mr Mario Sergio (Yorkview): It's very hard not to agree with what our leader, Ms McLeod, has been saying

with respect to this particular bill. We seem to be getting support from both sides of the House, although the other side refuses to accept exactly what we have been saying all along.

What we have been saying all along is, and this is our policy—this is what has been our policy during the election period as well—that if it's broken, you fix it; if it's damaged, you repair it. But the Conservatives are saying, "Let's throw it away completely." This is exactly what they are doing now.

Since the election, what we have seen is, if I may say, this holier-than-thou attitude, and they don't give a darn with respect to the people who cannot speak for themselves.

I think what we have heard during the campaign, and in the Common Sense Revolution, is that we're supposed to be compassionate, understanding and tolerant. If it's not up to us to deliver exactly on that, who is going to do it? Evidently, the people who need the most, they are helpless. So we are here to speak on behalf of those people.

What we have heard from the Common Sense Revolution, it is nothing more than senseless resolution, and every day we are seeing more and more of this. I would say that it is exactly resolutions like this when we have to show tolerance and understanding with respect to the people who cannot help themselves. There are no jobs. Jobs are being lost on a daily basis. So this is going to be even more difficult for those people who need assistance, need help, to find those jobs.

I hope that common sense can become the real, true part when the bill will be introduced, and make some amendments which we have suggested all along.

Mrs McLeod: I realize that for members of the Conservative and New Democratic parties who tend to prefer simplistic, categorical and ideologically driven positions, it is difficult to understand the position of those of us which is less simplistic, categorical and not ideologically driven. So in the few seconds that I have available to me, I will attempt to explain for the members opposite, who I know will continue to raise the evidence of their confusion, exactly what our position is.

I suggest that Liberals have always supported and always will support employment equity. It is only the determination of an NDP government to be driven to ideological extremes that could have ever forced the Liberal Party into voting against employment equity legislation. The record is clear that we opposed the NDP legislation because it did contain the provision of numerical targets, because it was backed by financial penalties and because of our concern that those numerical targets could become the imposition of quotas, and further because it established a costly, cumbersome bureaucracy and, to us, focused on end goals as opposed to providing support to really address barriers to true equity.

I suggest to the member for Niagara Falls that I would be happy to give him many more speeches that I've made on my personal opposition to a quota-based approach, so he can quote them to eternity if he chooses. But when he suggests that my position today is a flip-flop, I am absolutely incredulous, because I remember the ads that

said, "Mike Harris will repeal the legislation; Lyn McLeod won't."

Well, I wouldn't, and I wouldn't now, because I happen to believe that legislation is needed to set the spirit and intent for employment equity. I did not support the NDP approach, but I believe their legislation could have been amended. I believe that employment equity is right. I believe it makes sense. I will vote against this government's repeal of the legislation because I do not believe that either extreme works.

The Acting Speaker: Further debate?

Mrs Boyd: I'm pleased to rise to join in the debate because I think it is important for us to discuss the real issues. The Leader of the Opposition raised some questions about code words, and I think that's where I'd like to start. Frankly, the code words, almost all the code words that are used by the Conservatives in their opposition to employment equity, are code words used by those who want to maintain the power and privilege of the status quo and want to prevent those who wish to share in the bounty of our society from having an opportunity to do so.

Employment equity is a concept that is offensive to those who have always enjoyed power and privilege. None of us in this place, who understand about power and privilege, because we all do, think that it is easy to give up power and privilege and to share power and privilege with others. We all know that it's difficult. It is a difficult concept for those who have held power to consider that those who do not hold power have the ability and the right to share that power.

So it's not surprising for us to see very serious fights arise whenever there is a movement afoot to ensure equity among people living in a country like Canada. We shouldn't be surprised at that, those of us who have fought for equity for most of our lives, because we know that the unwillingness to share that power and privilege is part of the way in which our whole institutional life, our political systems, have operated. They have operated to protect those who are powerful and privileged in our society.

It is true that both the Liberals and the Conservatives in this House when we were in government resented more than anything else the legislation that our party brought forward that would have changed that balance. It is not surprising that the Progressive Conservatives, oxymoronic though I continually find that title, the Conservatives are consistently trying to dismantle any legislation which in fact ensured that there would be some sharing of power and privilege in Ontario.

It is a very real issue for us to come into an understanding of. It is very easy for us to deny in our society that in fact there are different classes and that there are some classes in our society that have more power and privilege than others and that class is in fact a reality for this society. It's very easy. We don't talk that way in Canada, in North America in fact; we try to pretend that we are all equal. In fact the American Constitution, if we recall it, says that we "hold" all people to be equal; not that we really believe they are, but that for constitutional purposes we will hold that people are equal.

If we truly believe that human beings are equal and ought to enjoy the same opportunities and the same rights as their neighbours, then part of the job of government surely is to ensure that our laws make that true. That's why we put employment equity into place. We saw that this equal opportunity nonsense that, frankly, had prevailed in this province for over 20 years was making few inroads.

1750

It was under a Conservative government that the whole issue of equal opportunity gained great credence, at the time that our Constitution, guaranteeing equal rights, was put into place. But when you simply use the words, "I am an equal opportunity employer," and you do not make the effort to make sure that the job is known to all those who might have the ability to apply and the training to apply, you do not go out and seek from those groups of people who have no reason to believe that they are welcome to apply, you do not make sure that the questions that are asked by those who are hiring do not immediately discriminate against the possibility of seeing those people as having merit, you do not ensure that there is some way for employers to receive some check on whether or not they are in fact acting as equal opportunity employers, it means nothing.

Quite frankly, we have the best example here in the government of Ontario, where equal opportunity employment has been the watchword for a very long time. But when, as the Leader of the Opposition did, we look at the actual statistics, we know we have failed. We failed as well during our term of office to do anything but make small inroads into that. Why? Mainly because we didn't have information. Mainly because there was no way for us to determine who was applying for jobs, how people found out about jobs, what kind of merit-based questions were there, how in fact the selection process proceeded and, then, how we were doing. We began to set that process into place for ourselves as employers. I don't think that's unreasonable. If we expect people to really believe that they have an equal opportunity in this province, we have to do better than the statistics show we have been doing.

I get very tired of this government talking about employment equity being for special-interest groups only, because when you take all the special-interest groups that they talk about—women, 52% of the population; the others, up to a total of 65% to 67% of the population, depending on how you cut it—we are not talking about special-interest groups when we talk about equity-seeking groups, we are talking about special-interest groups when we look at those who are opposed to employment equity, when we look at those who fight against a sharing of privilege and power and real opportunity with others in our society.

So it is absolutely inappropriate for us in this debate to be under any illusion that without some requirement for the gathering of data, without some reporting requirements that can then check on the accuracy of that data, without some way in which those in the equity-seeking groups can in fact be assured that they will be welcome to employ, there is the possibility for those equal oppor-

tunities to relate to actual proportional representation in the population.

In the public service in Ontario we see ourselves as having done a great deal in terms of mentoring programs, in terms of the requirements for advertising, in terms of the requirements to distribute among the people of Ontario the availability of appointments and so on. We have done all that partly on a voluntary basis prior to our government and then at the behest of the government during the past five years.

We had only just begun to get equity-seeking groups to believe that there really was a will in government towards their full employment. We had only just begun to show that government was willing to accommodate to those who had special needs, willing to accommodate the workplace, willing to accommodate the employment process to ensure that the merit that people had would in fact be seen during that process and that the kind of discrimination that had been faced by equity-seeking groups over all their history would no longer be experienced by people in the province of Ontario.

So we had a situation where we went out to our communities. There was great discussion about employment equity. Many employers and employees became equally understanding of their role in preventing equity-seeking groups from moving forward, not their personal blame or fault, not that they themselves were discriminating directly but that because of their assumptions, because of their unwillingness to examine the barriers or to appreciate the barriers, in fact were as a group, as a system, discriminating against those who did not have equal opportunity.

What that means is that as we went through that process, in fact a lot of groups who initially opposed the idea of mandatory employment equity became convinced that it was the only way to go. So the repeal of this act, and particularly the prohibition for those operations that had already begun the process, begun to collect the data, begun to work as employer and employees together to really put employment equity into place, is one of the most offensive things in this act.

A big employer in my community, London Life, is very incensed by this action. They have had employment equity plans in place for a long time and are great supporters of them, and they are fearful that the kind of information that they and their employees together have collected in order to measure their success will in fact be destroyed as a result of this bill. That would be a shame.

It would be one of the things that we would certainly be seeking as a bit of the change when and if the minister keeps her promise about public hearings. It may be one of the things that we can do, that when employers have willingly entered into this with their employees and made plans, they at least could continue to follow those plans.

Mr Speaker, I have more time on my speech, and it being almost 6 of the clock, I think this would probably be a good time for us to adjourn the debate.

The Speaker: It being almost 6 of the clock, I adjourn until tomorrow at 1:30 of the clock.

The House adjourned at 1758.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Lt Col The Hon / L'hon Henry N.R. Jackman CM, KStJ, BA, LLB, LLD

Speaker / Président: Hon / L'hon Allan K. McLean

Clerk / Greffier: Claude L. DesRosiers

Senior Clerk Assistant and Clerk of Journals / Greffier adjoint principal et Greffier des journaux: Alex D. McFedries

Clerk Assistant and Clerk of Committees / Greffière adjointe et Greffière des comités: Deborah Deller

Sergeant at Arms / Sergent d'armes: Thomas Stelling

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma	Wildman, Bud (ND)	Hastings-Peterborough	Danford, Harry (PC)
Algoma-Manitoulin	Brown, Michael A. (L)	High Park-Swansea	Shea, Derwyn (PC)
Beaches-Woodbine	Lankin, Frances (ND)	Huron	Johns, Helen (PC)
Brampton North / -Nord	Spina, Joseph (PC)	Kenora	Miclash, Frank (L)
Brampton South / -Sud	Clement, Tony (PC)	Kingston and The Islands / Kingston et Les Îles	Gerretsen, John (L)
Brant-Haldimand	Preston, Peter L. (PC)	Kitchener	Wettlaufer, Wayne (PC)
Brantford	Johnson, Ron (PC)	Kitchener-Wilmot	Leadston, Gary L. (PC)
Bruce	Fisher, Barb (PC)	Lake Nipigon / Lac-Nipigon	Pouliot, Gilles (ND)
Burlington South / -Sud	Jackson, Hon / L'hon Cameron (PC) Minister without Portfolio (Workers' Compensation Board) / ministre sans portefeuille, ministre responsable de la Commission des accidents du travail	Lambton	Beaubien, Marcel (PC)
Cambridge	Martiniuk, Gerry (PC)	Lanark-Renfrew	Jordan, Leo (PC)
Carleton	Sterling, Hon / L'hon Norman W. (PC) Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce	Lawrence	Cordiano, Joseph (L)
Carleton East / -Est	Morin, Gilles E. (L)	Leeds-Grenville	Runciman, Hon / L'hon Robert W. (PC) Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels
Chatham-Kent	Carroll, Jack (PC)	Lincoln	Sheehan, Frank (PC)
Cochrane North / -Nord	Wood, Len (ND)	London Centre / -Centre	Boyd, Marion (ND)
Cochrane South / -Sud	Bisson, Gilles (ND)	London North / -Nord	Cunningham, Hon / L'hon Dianne (PC) Minister of Intergovernmental Affairs, minister responsible for women's issues / ministre des Affaires intergouvernementales, ministre déléguée à la Condition féminine
Cornwall	Cleary, John C. (L)	London South / -Sud	Wood, Bob (PC)
Don Mills	Johnson, Hon / L'hon David (PC) Chair of the Management Board of Cabinet / président du Conseil de gestion	Markham	Tsubouchi, Hon / L'hon David H. (PC) Minister of Community and Social Services / ministre des Services sociaux et communautaires
Dovercourt	Silipo, Tony (ND)	Middlesex	Smith, Bruce (PC)
Downsview	Castrilli, Annamaria (L)	Mississauga East / -Est	DeFaria, Carl (PC)
Dufferin-Peel	Tilson, David (PC)	Mississauga North / -Nord	Snobelen, Hon / L'hon John (PC) Minister of Education and Training / ministère de l'Éducation et de la Formation
Durham Centre / -Centre	Flaherty, Jim (PC)	Mississauga South / -Sud	Marland, Margaret (PC)
Durham East / -Est	O'Toole, John R. (PC)	Mississauga West / -Ouest	Sampson, Rob (PC)
Durham West / -Ouest	Ecker, Janet (PC)	Muskoka-Georgian Bay / Muskoka-Baie-Georgienne	Grimmett, Bill (PC)
Durham-York	Munro, Julia (PC)	Nepean	Baird, John R. (PC)
Eglinton	Saunderson, Hon / L'hon William (PC) Minister of Economic Development, Trade and Tourism / ministre du Développement économique, du Commerce et du Tourisme	Niagara Falls	Maves, Bart (PC)
Elgin	North, Peter (Ind)	Niagara South / -Sud	Hudak, Tim (PC)
Essex-Kent	Hoy, Pat (L)	Nickel Belt	Laughren, Floyd (ND)
Essex South / -Sud	Crozier, Bruce (L)	Nipissing	Harris, Hon / L'hon Michael D. (PC) Premier and President of the Executive Council / premier ministre et président du Conseil exécutif
Etobicoke-Humber	Ford, Douglas B. (PC)	Norfolk	Barrett, Toby (PC)
Etobicoke-Lakeshore	Kells, Morley (PC)	Northumberland	Galt, Doug (PC)
Etobicoke-Rexdale	Hastings, John (PC)	Oakville South / -Sud	Carr, Gary (PC)
Etobicoke West / -Ouest	Stockwell, Chris (PC)	Oakwood	Colle, Mike (L)
Fort William	McLeod, Lyn (L) Leader of the Opposition / chef de l'opposition	Oriole	Caplan, Elinor (L)
Fort York	Marchese, Rosario (ND)	Oshawa	Ouellette, Jerry J. (PC)
Frontenac-Addington	Vankoughnet, Bill (PC)	Ottawa Centre / -Centre	Patten, Richard (L)
Grey-Owen Sound	Murdoch, Bill (PC)	Ottawa East / -Est	Grandmaître, Bernard (L)
Guelph	Elliott, Hon / L'hon Brenda (PC) Minister of Environment and Energy / ministre de l'Environnement et de l'Énergie	Ottawa-Rideau	Guzzo, Garry J. (PC)
Halton Centre / -Centre	Young, Terence H. (PC)	Ottawa South / -Sud	McGuinty, Dalton (L)
Halton North / -Nord	Chudleigh, Ted (PC)	Ottawa West / -Ouest	Chiarelli, Robert (L)
Hamilton Centre / -Centre	Christopherson, David (ND)	Oxford	Hardeman, Ernie (PC)
Hamilton East / -Est	Agostino, Dominic (L)	Parkdale	Ruprecht, Tony (L)
Hamilton Mountain	Pettit, Trevor (PC)		
Hamilton West / -Ouest	Ross, Lillian (PC)		

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Parry Sound	Eves, Hon / L'hon Ernie L. (PC) Deputy Premier, Minister of Finance, government House leader / vice-premier ministre, ministre des Finances, leader parlementaire du gouvernement	Scarborough North / -Nord	Curling, Alvin (L)
Perth	Johnson, Bert (PC)	Scarborough West / -Ouest	Brown, Jim (PC)
Peterborough	Stewart, R. Gary (PC)	Simcoe Centre / -Centre	Tascona, Joseph N. (PC)
Port Arthur	Gravelle, Michael (L)	Simcoe East / -Est	McLean, Hon / L'hon Allan K. (PC) Speaker / Président
Prescott and Russell / Prescott et Russell	Lalonde, Jean-Marc (L)	Simcoe West / -Ouest	Wilson, Hon / L'hon Jim (PC) Minister of Health / ministre de la Santé
Prince Edward-Lennox- South Hastings / Prince Edward-Lennox- Hastings-Sud	Fox, Gary (PC)	Sudbury	Bartolucci, Rick (L)
Quinte	Rollins, E.J. Douglas (PC)	Sudbury East / -Est	Martel, Shelley (ND)
Rainy River	Hampton, Howard (ND)	Timiskaming	Ramsay, David (L)
Renfrew North / -Nord	Conway, Sean G. (L)	Victoria-Haliburton	Hodgson, Hon / L'hon Chris (PC) Minister of Natural Resources, Minister of Northern Development and Mines / ministre des Richesses naturelles, ministre du Développement du Nord et des Mines
Riverdale	Churley, Marilyn (ND)	Waterloo North / -Nord	Witmer, Hon / L'hon Elizabeth (PC) Minister of Labour / ministre du Travail
S-D-G & East Grenville / S-D-G et Grenville-Est	Villeneuve, Hon / L'hon Noble (PC) Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales, ministre délégué aux Affaires francophones	Welland-Thorold	Kormos, Peter (ND)
St Andrew-St Patrick	Bassett, Isabel (PC)	Wellington	Arnott, Ted (PC)
St Catharines	Bradley, James J. (L)	Wentworth East / -Est	Doyle, Ed (PC)
St Catharines-Brock	Froese, Tom (PC)	Wentworth North / -Nord	Skarica, Toni (PC)
St George-St David	Leach, Hon / L'hon Al (PC) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement	Willowdale	Harnick, Hon / L'hon Charles (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Samia	Boushy, Dave (PC)	Wilson Heights	Kwinter, Monte (L)
Sault Ste Marie / Sault-Sainte-Marie	Martin, Tony (ND)	Windsor-Riverside	Cooke, David S. (ND)
Scarborough-Agincourt	Phillips, Gerry (L)	Windsor-Sandwich	Pupatello, Sandra (L)
Scarborough Centre / -Centre	Newman, Dan (PC)	Windsor-Walkerville	Duncan, Dwight (L)
Scarborough East / -Est	Gilchrist, Steve (PC)	York Centre / -Centre	Palladini, Hon / L'hon Al (PC) Minister of Transportation / ministre des Transports
Scarborough-Ellesmere	Mushinski, Hon / L'hon Marilyn (PC) Minister of Citizenship, Culture and Recreation / ministre des Affaires civiles, de la Culture et des Loisirs	York East / -Est	Parker, John L. (PC)
		York Mills	Turnbull, David (PC)
		York-Mackenzie	Klees, Frank (PC)
		York South / -Sud	Rae, Bob (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
		Yorkview	Sergio, Mario (L)

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

CONTENTS

Monday 30 October 1995

MEMBERS' STATEMENTS

Incineration	
Ms Churley	495
Mabel Newman	
Mr Chudleigh	495
Highway safety	
Mr Gravelle	495
Valley East Youth Centre	
Ms Martel	496
Peel Regional Police Force	
Mrs Marland	496
Agricultural hall of fame	
Mr Hoy	496
Central Pharmacy	
Mr Laughren	496
National unity	
Mr Ouellette	497

STATEMENTS BY THE MINISTRY AND RESPONSES

Legal aid	
Mr Harnick	497
Ms Castrilli	498
Mr Bradley	498
Mrs Boyd	498

ORAL QUESTIONS

Closure of Perth Jail	
Mrs McLeod	499
Mr Runciman	499
Ontario film industry	
Mrs McLeod	500
Ms Mushinski	501
Tax reduction	
Ms Lankin	501
Mr Eves	501
Social assistance	
Mr Cooke	502
Mr Tsubouchi	502
Workfare	
Mr Agostino	503
Mr Tsubouchi	503
Employment legislation	
Mr Marchese	504
Ms Mushinski	504
Vehicle safety	
Mr Gilchrist	504
Mr Palladini	504
Education	
Mr Patten	505
Mr Snobelen	505
Labour legislation	
Mr Christopherson	505
Mrs Witmer	505
Mining industry	
Mrs Johns	506
Mr Hodgson	506

Transfer payments to municipalities

Mr Gerretsen	506
Mr Leach	506

Services to abused women

Ms Martel	506
Mrs Cunningham	507

Air quality

Mr Newman	507
Mrs Elliott	507

PETITIONS

Hospital restructuring

Mr Kwinter	507
------------------	-----

Labour legislation

Mr Wildman	508
Mr Christopherson	509
Ms Churley	510

Negative option marketing

Mr Grimmett	508
-------------------	-----

Karla Homolka

Ms Castrilli	508
Mr O'Toole	509
Mr Bob Wood	509
Mr Curling	509

Closure of jail

Mr Hampton	508
------------------	-----

Prince Edward Heights

Mr Fox	508
--------------	-----

Eglinton West subway

Mr Colle	508
----------------	-----

Highway safety

Mr Len Wood	509
-------------------	-----

Alternative fuels

Mr Cleary	509
-----------------	-----

Landfill

Mr Danford	510
------------------	-----

Child care

Mr Miclash	510
------------------	-----

FIRST READINGS

Property Rights Statute Law

Amendment Act, 1995, Bill 11,	
<i>Mr Barrett</i>	510
Agreed to	510

Charter of Rights for Victims of Crime, 1995, Bill 12,

<i>Ms Castrilli</i>	510
Agreed to	510

Franchises Act, 1995, Bill 13,

<i>Mr Martin</i>	510
Agreed to	511

Drop the Penny Act, 1995, Bill 14,

<i>Mr Tilson</i>	511
Agreed to	511

SECOND READINGS

Job Quotas Repeal Act, 1995, Bill 8,

<i>Ms Mushinski</i>	
Mr Marchese . . .	511, 517, 521, 529
Mr Gilchrist	516
Mr Gerretsen	516
Mr Christopherson	517
Mrs Ecker	517
Mr Clement	518, 522
Mr Curling	521, 529
Mr Baird	521
Mrs Boyd	522, 530
Mrs McLeod	522, 530
Mr Maves	529
Mr Sergio	530
Debate deemed adjourned	531

OTHER BUSINESS

Visitor

The Speaker	510
-------------------	-----

TABLE DES MATIÈRES

Lundi 30 octobre 1995

DÉCLARATIONS DES DÉPUTÉS

Unité nationale

M. Grandmaître	495
M. Ouellette	497

PREMIÈRE LECTURE

Loi de 1995 modifiant des lois en ce qui concerne les droits de propriété,	
projet de loi 11, <i>M. Barrett</i> . . .	510
Adoptée	510

Charte des droits des victimes

d'actes criminels de 1995, projet de loi 12, <i>M^{me} Castrilli</i>	510
Adoptée	510

Loi de 1995 sur les franchises, projet de loi 13, <i>M. Martin</i>	510
Adoptée	511

Loi de 1995 sur l'abandon des pièces d'un cent, projet de loi 14,	
<i>M. Tilson</i>	511
Adoptée	511

DEUXIÈME LECTURE

Loi de 1995 abrogeant le contingentement en matière d'emploi, projet de loi 8,	
<i>M^{me} Mushinski</i>	517
Débat présumé ajourné	531

CA20N
X1
-D23

Legislative
Publications



No. 19

N° 19

ISSN 1180-2987

Legislative Assembly of Ontario

First Session, 36th Parliament

Assemblée législative de l'Ontario

Première session, 36^e législature

Official Report of Debates (Hansard)

Journal des débats (Hansard)

Tuesday 31 October 1995

Mardi 31 octobre 1995



Speaker
Honourable Allan K. McLean

Président
L'honorable Allan K. McLean

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

Hansard on your computer

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. For a brochure describing the service, call 416-325-3942.

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-7411.

Subscriptions

Subscription information may be obtained from: Sessional Subscription Service, Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur votre ordinateur

Le Journal des débats et d'autres documents de l'Assemblée législative pourront paraître sur l'écran de votre ordinateur personnel en quelques heures seulement après la séance. Pour obtenir une brochure décrivant le service, téléphoner au 416-325-3942.

Renseignements sur l'Index

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-7411.

Abonnements

Pour les abonnements, veuillez prendre contact avec le Service d'abonnement parlementaire, Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311 ou, sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 31 October 1995

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 31 octobre 1995

The House met at 1332.

Prayers.

MEMBERS' STATEMENTS

YEE HONG COMMUNITY WELLNESS FOUNDATION

Mr Alvin Curling (Scarborough North): I rise today to honour the Yee Hong Community Wellness Foundation in Scarborough North.

On October 29, I had the pleasure of attending their first anniversary celebration dinner. In its first year of operation, the Yee Hong centre has established a solid reputation as being a leader in the care of our seniors. The centre has taken a leadership role in outreach in the local Chinese community. With such leaders as Dr Joseph Wong, chairman, and Florence Wong, executive director, the Yee Hong centre has been recognized and studied as a model for geriatric care. They have also taken progressive initiatives in private fund-raising to support the work they accomplish.

I continue to be very impressed by the seniors who live at the Yee Hong centre. They are vibrant and active individuals, and they are very important members of our community.

Please join me in recognizing the contribution of the hardworking individuals at the Yee Hong centre—staff, volunteers and residents—who have contributed to the success of this project. They must be encouraged to continue with their important work, providing dignified service in a home environment for our seniors. On their first anniversary, we wish them congratulations on their accomplishments and every encouragement to continue with the important work they do.

Mr Speaker, I also want to recognize Chike Gardiner from Winston Churchill Collegiate, another outstanding Scarborough North community individual who is in the audience today.

NURSING HOMES

Mr Len Wood (Cochrane North): I'd like to direct my statement today to the Minister of Health. Mr Minister, on October 16, your ministry announced the sale of 25 beds at the Cochrane nursing home in my riding of Cochrane North to the Heritage Green Nursing Home in Stoney Creek. I understand this move is to increase the profitability of Heritage and increase the provincial average of beds available in the Stoney Creek area.

What about the profitability of the Cochrane nursing home? The future of the home does not look bright. Until recently, the Cochrane nursing home beds have been full, as it serves not only the town of Cochrane, but also many other communities in the area.

A needs study of this community has been requested, and any decision concerning the reduction of beds at this

home was asked to be delayed until the study had been completed. This request was ignored by your government. Extendicare also made a commitment that if the beds were to be sold, the quality of care and the physical plant at Cochrane would be improved. The request for a feasibility study was ignored. How then can we trust you on your commitment to improve the situation at the home upon the sale of the beds?

The reduction of 40% in the size of the home will have a tremendous impact on health care in my riding of Cochrane North. Also, there will be more unemployment due to the loss of jobs. I'm concerned about this. The Cochrane District Health Council is concerned about this. The people of Cochrane North are concerned about this. Mr Minister, the reduction in beds at the Cochrane nursing home could prove to be a catastrophe for the health care of everyone in Cochrane North.

HAMILTON CHEFS FIGHTING HUNGER

Mrs Lillian Ross (Hamilton West): I rise today to bring to the attention of this House how volunteerism is having a positive impact on those less fortunate in the city of Hamilton.

On October 24, 1995, the Hamilton Spectator reported that some of Hamilton's best-known chefs would be giving free cooking lessons to people who are on social assistance. The skills and experience of this group of chefs will help families who are on social assistance to prepare meals that are both cost-effective and nutritious.

Mr Trevor Hamilton, a chef at the High Bonnet Cafe in Stoney Creek, contacted other chefs and asked them to volunteer their services and get involved in the community. They have come together and organized a group called Hamilton Chefs Fighting Hunger. This group of people will be volunteering their expertise to people on social assistance in order to provide them with shopping hints on where to go and how to buy the ingredients needed, and with cooking ideas on how to cook nourishing meals inexpensively. Classes are scheduled every Monday in November and will feature different chefs every week.

Since Mr Hamilton has undertaken this volunteer initiative, I am told that his phone has not stopped ringing from people wanting to help: chefs, dieticians, nutritionists, grocery store owners and mothers, all wanting to help and get involved.

It is exactly this type of initiative that the Premier and this government want to encourage. I commend Mr Hamilton and the people of Hamilton-Wentworth for once again showing leadership.

SOCIAL ASSISTANCE

Mr Mario Sergio (Yorkview): The Common Sense Revolution is leaving in its wake a collection of misery

and suffering unmatched in this province's history. Every day I hear from my constituents about the pain and agony many in my riding feel on a day-to-day basis.

However, there is one particular situation that I would like to share with this House. Jennifer Fairclough is a resident in the riding of Yorkview. She and her five children share a two-bedroom apartment in an apartment building which, incidentally, was recently shut down because of severe building deficiencies.

Unfortunately, Jennifer's story does not end here. You see, she was also saddled with a close to 20% rent increase while at the same time losing 20% in her welfare payments.

Despite these living conditions and her economic situation, Ms Fairclough has valiantly tried to make ends meet, but fears she is losing the battle. She has been attending night school, trying to make a better life for herself and her children, but slowly feels her opportunities slipping away.

If the government restricts the options and potential solutions for people such as Jennifer Fairclough, it only perpetuates the cycle of poverty and dependency. If the Harris government is truly committed to getting people off public assistance, it should at the very least give them a fighting chance.

Mr Ron Johnson (Brantford): On a point of order, Mr Speaker: that the House may recognize, sitting in the members' gallery, the Honourable Phil Gillies, who was a Conservative member from 1981-87 in Brantford.

The Speaker (Hon Allan K. McLean): You do not have a point of order.

1340

LABOUR LEGISLATION

Mr David Christopherson (Hamilton Centre): Given that this government has attempted to shut down any kind of democratic participation in its rush to bring into law the anti-worker Bill 7, I have today thousands of cards that I'm receiving, in addition to petitions, that I'm going to send across the House to the Minister of Labour in the hope that she will at the last minute realize that this kind of anti-democratic procedure is not in the tradition of this great province and it's not acceptable to the majority of people in the province of Ontario.

The government has attempted to suggest that because the opposition parties did not agree to its sham of a process, somehow it can abdicate its responsibility to provide democratic input. That's not the case, and the people of Ontario will not accept that. You're the government. You have the obligation to make sure that people have an opportunity to participate. You have decided that you're going to shut off the tap of democracy and that there will be no input. You will have to answer to that.

You think this will be over today when you jam this bill through and make it law by the end of today. I'm telling you that's not going to happen. People will not forget, and the labour movement is not about to lie down and let this anti-democratic government roll over it.

They are going to rue the day they decided to tell Ontarians, "Forget about democracy; you don't deserve

it." You will rue that day. I'd ask pages to take this over to the Minister of Labour's desk, please.

OKTOBERFEST

Mr Wayne Wettlaufer (Kitchener): Given that we are now at the end of October, I would like to take this opportunity to congratulate the over 3,000 volunteers who helped make the 27th anniversary of Oktoberfest in Kitchener-Waterloo a resounding success.

Over the years, Oktoberfest has grown in size and popularity. Its events this year drew over 650,000 participants to the 20 fest halls and the 50 family cultural events that make up the festival. What is even more notable is that over 60% of those participants came from outside the region, making Oktoberfest not only a tremendous cultural experience but an economic success.

This year, Oktoberfest generated over \$18 million in economic benefit to the area economy. I am also pleased to report that the net revenue gained from Oktoberfest events, which, I might add, are run by over 70 not-for-profit groups, is being directly reinvested into the local community to help those families and children in need.

I know I speak for all members of the House in warmly congratulating the organizers of Oktoberfest and wishing them continued success. As we all know, the strength of Ontario rests with the strength of our communities. The participation and dedication of event organizers and corporate donors as well as the community spirit shown by all volunteers on a daily basis is an indication of what can be accomplished at the local level if people commit themselves to getting involved. This is precisely what the Common Sense Revolution is all about.

HIGHWAY 17

Mr Frank Miclash (Kenora): My statement is directed to the Minister of Transportation. On August 27 of this year, a transport truck was involved in an accident with a vehicle from Alberta on Highway 17, the Trans-Canada Highway, between Vermilion Bay and Kenora. Both occupants of the car were killed.

On May 7, one person was killed on this highway in a two-car accident. The OPP tell me that this stretch of Highway 17 was recently closed more than five hours due to yet another accident. Unfortunately, this accident occurred at the bottom of a hill and resulted in two jackknifed tractor-trailers and a traffic jam involving hundreds of vehicles.

I could go on and on about many incidents along this stretch of the highway. The Kenora OPP detachment has informed me that although they patrol this section of the highway, little enforcement can be done because they are afraid to pull vehicles over to the side of the road, fearing that they will fall off the shoulder.

For more than two years, the Kenora OPP policing committee has been demanding government action. To date, no improvements have taken place, despite the design plans being completed by the MTO officials.

At a recent community policing meeting, the following question was asked of the minister: How many more lives do we need to lose before we use the design work that is

sitting on one of your bureaucrats' desks to move ahead with this much-needed upgrading between Kenora and Vermilion Bay? We are still waiting for an answer from this minister.

MUNICIPAL FINANCES

Ms Shelley Martel (Sudbury East): On July 21, 1995, the Minister of Municipal Affairs and Housing wrote to municipalities and promised help to those communities which would lose because of the Conservative cuts to social services. The minister said, "The Ministry of Community and Social Services will be prepared to consider one-time payments to those municipalities so they can protect services."

The regional municipality of Sudbury is in that position. Under our government, the region had 90% of its welfare costs covered because of the high caseload in our community. It also received extra help with administrative costs. As a result of the Tory cuts, local taxpayers will now pay \$152,000 more to support the system.

The region also previously received 100% provincial dollars for some 166 Jobs Ontario child care spaces. The Tory cut to the subsidy means local taxpayers are now paying \$20,000 more a month to maintain the spaces. Without them, the 166 social assistance recipients who are using the spaces because they are back in school or at work for training will end up cut off work, out of school and back on assistance.

The chair of the regional municipality wrote to the Minister of Community and Social Services on August 16 to request the one-time funding, and I have personally called to follow up. To date, there is no formal reply and the region has no money.

This government made the commitment to municipalities. It's time to live up to that commitment.

CONDOMINIUMS

Mr Douglas B. Ford (Etobicoke-Humber): The quiet enjoyment of one's home, a right that is guaranteed through the Condominium Act, has disappeared in many properties, including some in my own riding, as a direct result of too many people living in too small a space.

The units that generate the problems are usually owned by an absentee landlord who seeks to raise his or her income by increasing the number of tenants who occupy a unit. The fact that condominium units are used to house many people, such as two or three families per unit, is a contradiction of the original intent of condominiums, which was to provide equity ownership to families at all levels of income.

Although the entire Condominium Act is undergoing changes, this matter of overcrowding can and should be dealt with immediately. Changes to the act should address the need to restrict the number of occupants of a residential unit.

Since taking office last June, I have met with many residents concerning this matter. The people of the city of Etobicoke, in addition to the city officials, are just as concerned as I am. I know this government is also concerned, and I am confident that we will address the overcrowding through the Condominium Act by giving this issue the attention it deserves.

STATEMENTS BY THE MINISTRY AND RESPONSES NATIONAL UNITY UNITÉ NATIONALE

Hon Michael D. Harris (Premier): I want to say that it is with a great deal of pride as a Canadian that I rise in the House today to comment on yesterday's vote in Quebec.

Last night, I watched the results with my family. We went through the range of emotions that I believe most Canadian families went through during the evening: fear, apprehension, excitement, concern, relief, joy, and at the end of it all, a reflective weight of responsibility that is on all of us in this country in the aftermath of this vote.

It's been an emotional time for Canada. Of course, it has been a very emotional time for the people in the province of Quebec.

Last Friday, my son Michael Jr and I travelled to Montreal to take part, not as Premier but just as a family, an Ontario family, on behalf of, I hope, all those in Ontario who wanted to be there but couldn't on a working day.

I understand that we ran out of buses. You couldn't rent another bus in Toronto on Friday. Many were left standing who wished to go. We went to show support for keeping our country together.

I want to tell you that I was moved very much by that experience. We've all seen the speeches and referred to them—at least, I hope we have; they've been talked about. It was a marvellous feeling, that sense of those who spoke on behalf of change, but change within Canada.

1350

I want to tell you where I was touched. I was touched, as were I think a number of other Ontarians, by the comments from Quebeckers, from Montrealers, from those who were living this referendum and getting ready to vote. They reached out, they touched, they wanted to shake hands, they shouted out—hundreds—things like, "Thank you for coming; thanks for caring," to me, some of them perhaps because they recognized me, but to any they identified as somebody from outside of Quebec. It was, "Thank you," some with tears in their eyes, "thanks for coming." One young girl said at the rally, "It's about Canada." She was a girl who looked a little younger, actually, than my son. In the words of that very wise young person yesterday, it was about Canada.

Today and tomorrow and the next period of time, though, will be as much about Canada as was yesterday's vote. Now the challenge really begins as we work towards a federation that better serves all Canadians, better serves Quebeckers, better serves Ontarians, better serves Canadians all across the country.

Last night Quebeckers, in my view, voted 100% in favour of change. The majority—a slim one but a majority—voted for that change within Canada, but all voted, I believe, wanting change. Ontarians, like our neighbours in Quebec, reject the status quo as well. They want change. I've talked to premiers across the country who have told me the same, that the mood in their province is

for change in how governments are operating—federal governments, provincial governments, even through to local governments. So Ontario is committed to working side by side with the Prime Minister, with the other nine provinces, with two territories, with all Canadians, with all members in this Legislature to bring about real change in the Canadian federation.

Ontarians, Quebecers, Canadians from all provinces share so many of the same goals: jobs, opportunity, safe streets, a strong education system, accessible quality health care. Yes, Quebecers are concerned about their language and their culture, but I heard so much more in this referendum campaign compared to the one 15 years ago about jobs and the economy and future jobs for their children and less about concerns over language and culture. It's still there, but this referendum really struck out at many more changes than simply language and culture, asking for many, many more things from us.

As we work together I believe we now must consult broadly ourselves. The buses travelling down the 401 last Friday, the thousands of people in Montreal and from every corner of this country, highlighted once again the importance of including Canadians in these efforts. People in every community of our province have a love for this country. They want the best for this country, and I have faith in those people. We must listen to them as we embark upon this program of change. I have confidence in Canadians; I have confidence in them.

We have an opportunity now to seek changes that will make us stronger, that will make us more self-reliant, that will make us less dependent on others, that will make us greater masters of our own destiny instead of somebody else who we owe money to outside of this country telling us and influencing our policies. That means paying our own way. It means balancing our budgets. It means creating competitive tax climates. It means doing more for less. It means finding creative ways of delivering quality services. All Canadians, I believe, are seeking these kinds of changes in how government operates.

So there's much work to be done and there are many challenges to be met, but I believe that what lies ahead is an exciting opportunity for all Canadians—an exciting opportunity, not something to be feared; something that we ought to look forward to to help shape the future of this great country of Canada.

On a final note, let me again pay tribute to each and every one of you in this chamber, particularly to Mrs McLeod and to Mr Rae, who gave their complete cooperation, who gave their assistance, and to the people whom everybody in this chamber represents, who, as we have acknowledged from time to time, don't agree on how we ought to achieve the goals but agreed unanimously that we wanted this country to stay together, wanted Quebec to give Canada a chance.

I think Ontarians can be proud of our efforts as a province. We've worked hard to keep our country together. The past few weeks have been no exception. The next few weeks and months and years will be no exception. We'll be called upon to lead. We'll be called upon to make some very difficult decisions and we will not shirk that responsibility.

You reached with an open heart to our fellow Canadians living in Quebec and you said, "We want you to stay in Canada." I just wanted to say thank you to all of you. I look forward to working with each of you in the weeks and months and years ahead as we meet the challenges of protecting, but the challenges, in my view, of building and of strengthening the greatest country on this planet, Canada.

Mrs Lyn McLeod (Leader of the Opposition): I think we should take a moment to celebrate the fact that Canada won last night. Those of you who happened to see my daughter in tears last week will be glad to know she woke up this morning smiling, as we all did.

Last night's vote in Quebec was clearly a vote for change; everyone has recognized and acknowledged that. I think what pleases us most and gives us the most reason for hope is that a majority of Quebecers have voted for change within the Canadian federation, and what that means to me most essentially today is that we have the opportunity to continue to build a strong and united country.

I think it's also important for us to recognize that the mandate for change within the federation comes from a strong majority of Quebecers. The polls showed us that approximately one third of those who voted Yes believed that they were supporting negotiations for a renewed federalism. When you add that vote to the No vote, it's clear that a majority of Quebecers rejected separation, and that is a good base from which to begin again to build.

There is as well a strong base of support from Canadians across this country. In recent days there has been an enormous outpouring of the commitment of Canadians to the future of our country, a passionate concern that we do not lose what we have struggled to build for over 200 years, that we not sacrifice the unity of our nation.

Without that clear commitment from Canadians across the country, there might not have been a victory for No. With such a narrow victory, I believe that Canadian citizens across this country can feel that their contribution did make a difference.

Last week we saw Canadians from every province join in partnership and support with Quebecers who wanted to stay Canadian. That partnership, that sharing of values, is something that we Canadians have never demonstrated so tangibly before. Never before have Canadians expressed the love of their country so strongly, and never before have we joined together in such a passionate commitment to preserve and to work to make stronger the nation that we've built.

We agreed before the vote that a No would not be taken as a vote for the status quo. No one is satisfied with the status quo. We look forward to working with the people of Quebec and with all Canadians across the country to ensure that we satisfy everyone's desire for a strong Canada and a healthy economy that creates jobs.

We will find the ways to work together to understand the needs and how the concerns of Quebecers and the concerns of all Canadians in every region can indeed be addressed. We will find the ways to work together so that

a majority of Quebeckers, hand in hand with a majority of people across this country, can commit themselves wholeheartedly to a shared future in a strong and united Canada.

Last night was a victory for a Canada that includes Quebec, but I believe last night was also a wake-up call. We saw the continued existence of our country as we know it threatened, and Canadians responded to the sense of crisis. But our response and our commitment will outlast the crisis. Canadians across this country, and not just in Quebec, have given their governments a mandate to bring about real and lasting change.

Je suis heureuse que les Québécois et les Québécoises aient choisi le Canada.

1400

Mr Bob Rae (York South): In speaking to the House today, I must say I come at it perhaps from a slightly different perspective. Of course, all of us are pleased that on balance, after a very long night counting, the people of Quebec voted No to the proposition that was put to them by their government. However, I think it's important for us to recognize that the challenge we face as a country is more real and more serious than it has ever been.

I've had the opportunity since coming here to speak on many occasions on this question. I've done it from this seat, from that seat over there and from that seat over there. And on many occasions I've had chances to say to members that I thought that this question of our relationship with the province of Quebec and Quebec's continuing active partnership with us within Canada was at issue and at stake. We said it over Meech; we said it over Charlottetown; we've said it on a number of occasions.

It's one thing for people to go down the 401 and to express their solidarity with the people of Quebec. I think that's an important thing that we did. I think it's an important expression of the faith and the feelings of the people of this country.

It's going to be quite another for us to find it within ourselves to listen to what it is that a significant majority of people in the province of Quebec are saying, not simply about a desire for change that is precisely the same as it may be for some, but about a desire for recognition.

Each one of us wants to have our identity affirmed. It just so happens that for the people of Quebec, this issue of the affirmation of their identity within the country has become a critical issue. It's grown in its importance and in its significance, and the fact that on a number of occasions, twice in this last decade, that identity has not been affirmed in the Constitution now proves to be a very significant problem and challenge.

I believe it's important for us to say that today, that we accept Quebec's desire to be affirmed and recognized in the Canadian Constitution. We've done it before. In my view, we should continue to do it.

I would also say, with great respect to the Premier, that I do not believe it's as simple as saying that there is a desire for change that is the same in all parts of the country. I say, with great respect, this is not about the

Common Sense Revolution. That's not what this is about, and we should not make the mistake of assuming that our own agendas are necessarily those that are going to achieve consensus and constitutional agreement across the country.

It's important for us to work together, I agree, and I'm certainly determined to do that, but from my experience as Premier, the one thing one must not do is to assume that one's own views and one's own perspectives are necessarily shared by everyone at the table. The key to success in any round of discussion and negotiation is to listen to what the others are saying and to understand that in some sense we have to listen and learn and reflect what they are saying: native people, westerners, easterners, the people of Quebec.

Ontario's historic strength, its position in negotiation, has not been because we've gone in with a sense of our own agenda, which we were prepared to simply state was widely shared, but because of our capacity to listen and because of our capacity to learn and then to lead. That's a capacity this province must continue to show.

Nous devons continuer de montrer notre détermination de garder un pays uni, un pays fédéral, mais un pays où la diversité et les différences sont bien reconnues dans notre constitution. C'est ça que nous cherchons et c'est ça que nous devons travailler ensemble pour l'avenir du Canada.

ORAL QUESTIONS

SOCIAL ASSISTANCE

Mrs Lyn McLeod (Leader of the Opposition): My first question is for the Minister of Community and Social Services. Minister, during the election campaign and repeatedly since in this House, you and the Premier have talked about helping people on welfare return to the workforce, and you have expressed great confidence that in communities across this province there are community agencies providing the services that are needed to give people that hand up. But in fact, Minister, according to Family Service Ontario, effective December 31, you are slashing \$3.9 million in funding to 40 community agencies that operate job counselling services for people on welfare and for the working poor. Minister, can you confirm the cuts?

Hon David H. Tsubouchi (Minister of Community and Social Services): I think once again we're talking about our core services here.

Mr James J. Bradley (St Catharines): Just answer the question.

The Speaker (Hon Allan K. McLean): The member for St Catharines.

Hon Mr Tsubouchi: We're also talking about the fact that we have a huge fiscal problem. The difficulty we've had with prior programs dealing with ideas such as workfare, or workfare types of programs, is that the programs have always been that of counselling and training and leading persons not to employment. I'll tell you, when people are on welfare, I can't think of anything more disheartening than for someone to embark upon a program which is to lead him to a job, go through the training, and stand at the end of this tunnel and see nothing, no light there, only darkness again and no jobs.

When we transform this system, our workfare and learnfare programs will lead to actual jobs. However, we are looking at all kinds of programs across the province right now, with the assistance of many of our MPPs, including one of the members of the opposition right now who has kindly pointed me to one program, in which we are looking for made-in-Ontario solutions.

The Speaker: Wrap up your answer, please.

Hon Mr Tsubouchi: Clearly, our objective is to get people back into work.

Mrs McLeod: Minister, let me try it again. You and the Premier have both said that you want to help people who are on welfare get back into the workforce. You've said it again today. But you are eliminating funding for job counselling and support programs that are provided by community organizations providing the job counselling and support to exactly those people on welfare you keep saying you want to help get back into the workforce.

For example, you are eliminating \$310,000 for a job counselling program offered by the Family Services Association of Metropolitan Toronto. That particular cut affects 900 families. In my home riding of Thunder Bay, you're eliminating \$97,000 for the entire general counselling program of Family Services Thunder Bay.

Minister, if your goal is to help people on welfare return to work, why are you eliminating funding for the community organizations that do just that?

Hon Mr Tsubouchi: I think there's a huge difference between looking at some of the inherited programs that we have right now in our ministry where the cost of trying to put a person through training is an enormous cost and has no effect. With all due respect, the objective here is to ensure that we get people back into the job workplace, but we also have another responsibility, and that's to the people of the province of Ontario, to ensure that we do this in the most cost-efficient manner possible. Unlike "tax and spend, tax and spend," we are looking at doing things better and more efficiently.

1410

Mrs McLeod: I don't know what's going to be left, because the minister and the Premier both keep telling us that as they make the cuts in what government can do, the community is going to take over; the community services are there. We've been told that time and time again. But they're pulling away the community services.

Minister, I don't know how to make it any simpler unless I draw you a picture, so let me tell you about that particular agency in my home community of Thunder Bay. Family Services Thunder Bay has been providing counselling services for about 28 years now. During the past six months alone, 192 families were counselled at Family Services Thunder Bay. Thirty-five per cent of those families are on welfare; another 42% make less than \$20,000 a year. Yet you are totally eliminating the funding that allows that agency to provide counselling for these people.

Minister, I have to ask you, in light of the statements that have been made by you and the statements that have been made by the Premier, how could this happen? Do you not think it is hypocritical to talk about giving people

a hand up while you cut off all the support the communities are offering to make that possible?

Hon Mr Tsubouchi: It's a simple question. Perhaps we can answer that simply. Yes, we are trying to do things in a smarter manner; we're trying to do things that are cost-efficient. There is not an endless pool of money out there and that's what our challenge is right now, frankly, to make sure that these programs for workfare and learnfare are cost-efficient and work. That's your simple answer. Your simple answer is learnfare and workfare.

NOTICE OF DISSATISFACTION

Mrs Lyn McLeod (Leader of the Opposition): Mr Speaker, I'm dissatisfied with that answer. I believe that people in counselling agencies are dissatisfied, people across the province, and I want you to know that I will be serving official notice of dissatisfaction.

RENT REGULATION

Mrs Lyn McLeod (Leader of the Opposition): My second question is for the Minister of Housing. Minister, in recent days there has been a great deal of confusion about your government's policy on rent controls, so I just want to take you back over what we've heard and ask you for some explanation.

In September 1994 the now Premier told the Toronto Real Estate Board that he would scrap rent controls, yet in the middle of an election campaign, you put out a brochure, distributed in your riding, that quotes the same now Premier as saying, "We want to bring in a rent control program that will protect tenants and give them lower rents."

Minister, which of these two conflicting sets of instructions have you been asked to follow as Minister of Housing?

Hon Al Leach (Minister of Municipal Affairs and Housing): It's quite to the contrary; they're very consistent messages. The system that we have in place right now doesn't work. It doesn't work for tenants; it doesn't work for landlords. We've been consistent in saying that we are going to take out the existing Rent Control Act and bring in something that protects tenants, and we intend to do that.

Mrs McLeod: That answer is at least consistent with the answer the minister gave to my colleague from Oriole last week. The only problem is it doesn't do anything to clear up the confusion. You've said again today then that you intend to bring in something called tenants' protection. You've also said at the same time that you would—let me get this quote right—"remove a system that doesn't work."

I ask you very simply: Does removing a system that doesn't work mean you are going to scrap rent controls, or does tenants' protection mean keeping a system of rent controls, as you said in your brochure you were going to do?

Hon Mr Leach: It means that this government is going to bring in a program that will help tenants and also get the private sector involved in building rental accommodation again, something they haven't done for the last 10 years at least. It's a very consistent message.

I'm really at a loss to understand why the member across doesn't understand that. We are going to bring in a tenants' protection act and we are going to get rid of the existing system that doesn't work.

I have a great many supplementary questions about how this minister and this government would manage to control escalating rents if they remove rent controls, but what we need to find out before we get into that is whether they're going to scrap rent controls.

Again I say, Minister, on October 3 in this House you said categorically—you didn't dance quite so much back then—that you would scrap rent controls. Your campaign brochure says that a Mike Harris government would bring in rent controls. So, Minister, I have to ask you who we should believe.

Should we believe what the Premier said before he was elected, should we believe what you said when you were campaigning or should we believe what you're saying now that you've been elected, if we could figure out what it is you're saying now that you've been elected? The bottom line is, are you or are you not going to scrap rent controls?

Hon Mr Leach: I hate to be repetitive, but we've answered the question at least four times in this House. We said we're going to get rid of a system that doesn't work. We said that we're going to create a system that protects tenants and also generates building by the private sector.

Interjection.

Hon Mr Leach: That's right, that's exactly what it says: real protection for tenants—real protection, not that nonsense that's in there at the present time.

The Speaker: New question, leader of the third party.

Mr Bob Rae (York South): I thought real protection was about deodorants, not about rent control.

LABOUR LEGISLATION

Mr Bob Rae (York South): My question is to the Minister of Labour. We've now been presented with a package of over 60 amendments to the government's bill on labour relations. Some of the amendments that we've received changed the amendments that we received on Friday. So over the weekend the government has obviously changed its mind yet again as the drafters catch up with the process.

I want to ask the minister this question: Can she tell me why not one of the amendments explains why the government has taken the word "fair" out of the purpose clause in the new Labour Relations Act? What's your hangup about fairness?

Hon Elizabeth Witmer (Minister of Labour): First of all, I would like to indicate to you that we did send you amendments on Friday and we have subsequently made some additions to those amendments. We hope that you will appreciate the fact that we have taken the time to consult with labour and employers. Certainly our amendments reflect exactly that.

I would just like to say to the member opposite that our entire package of reforms that deal with the repeal of Bill 40 and deal with the changes that we have made to the Labour Relations Act do reflect fairness. In fact, for

the first time we are going to give all employees the opportunity to make choices regarding certification, strike votes, ratification and decertification in order that they can vote and in order that there is fairness in the workplace.

Mr Rae: I won't ask the minister a skill-testing question about the 63 amendments that she brought forward because, given the task, we all know the only people who will understand these amendments are those who've drafted them. Just as we had the mixup over the regulations on social services, we're going to have huge problems with these particular ones.

But I want to come back and ask the minister again, because I don't think she's answered the question: You took the word "fair" out of the purpose clause. I'm asking you, why did you take the word "fair" out of the purpose clause? What were you trying to achieve in that dropping of the word?

Hon Mrs Witmer: I would indicate to you, if you take a good look at the purpose clause, you will see in there that we have totally reworded the purpose clause in order that the entire wording now indicates the need for fairness. We talk about the need for communication; we talk about the need for cooperation between the workplace parties. Our bill is totally devoted to the concept of fairness and equality, and that's why we've tried to enhance the rights of the workers in the workplace.

1420

Mr Rae: Again, there are 63 amendments that have now come forward. We had a letter yesterday from the Information and Privacy Commissioner which the minister clearly, from her answer yesterday, hadn't even seen. They've now produced an amendment which deals with only half of the problem put forward by the privacy commissioner, not the other half.

I want to deal directly with the minister and ask her with respect to that question. The privacy commissioner says, and I quote, "Many individuals, including government employees, will be denied the right of access to their own personal information which is in the hands of government organizations."

Can you please tell me—you're now getting prompted by your colleague from Management Board, just as you were by the Deputy Premier. You people here are ramming through a change and you don't even know what you're doing. It's unbelievable in terms of what you're putting forward: 63 amendments, you don't even know which ones you've changed; you don't even know what the impact is going to be.

I wonder if you can tell us why the second of the concerns that the privacy commissioner has that he expressed in his letter to you yesterday—why you have not addressed that question in any of your amendments.

Hon Mrs Witmer: First of all, I think we need to be abundantly clear. You knew very well yesterday, when you asked the question, that I had not received the letter. We received it yesterday by courier at 2:30, so we appreciate that.

Furthermore, I'm very surprised that the leader of the third party would be indicating to me that you don't understand the changes that are contained within the

Labour Relations Act. They are really quite simple, and you of all people, I would think, would be well versed in the Labour Relations Act. So I can't understand why you would indicate your inability to understand the changes we're making.

Regarding the letter yesterday, I would like to assure you that the Chair of Management Board has met with the commissioner and has tried to address some of the concerns that have been expressed.

LONG-TERM CARE

Mr Floyd Laughren (Nickel Belt): I have a question for the Minister of Health. On July 12 the Premier, in a release on the Ministry of Health letterhead, I might add, stated that:

"Over the next 60 days, the Minister" of Health "will meet with key people in the long-term care system. He wants to get their ideas on how best to coordinate community-based long-term care services."

I wonder if the minister could tell me, since it's over 100 days now, not 60 days, how it is that when he was in opposition he had all the answers to the problems of long-term care in this province and how now he can't seem to bring forward a model, regardless of the time that he's given to do so.

Hon Jim Wilson (Minister of Health): The honourable member is correct that on July 12 the Premier and I made an announcement with respect to Bill 173. At that time we made it clear to the people of the province that we would not be moving forward with the NDP government's multiservice agency program and that we would not be implementing the 80-20 rule and some of the other sections of Bill 173 which frankly were offensive to front-line providers in this province.

Since that time our parliamentary assistant, Helen Johns, the member for Huron, on behalf of the ministry, has met with some 68 major provider groups in the province. A report was compiled and that's now being circulated back to those groups and we're waiting for further input.

It's a very good question and I've asked those groups, in bringing them together—when we were in opposition they told me they had many of the answers, and so we're still searching for some of those answers and hope to come forward with a plan. I assure the member that it will not be a plan that imposes the will of this government or the will of any one particular group on all of the communities of the province, because we understand that flexibility is needed in the local communities.

Mr Laughren: My, how times change, Minister. Could I bring an example to the minister where the community has its act together, the small community of Chapleau in my own constituency. For more than a decade the people of Chapleau have been working on a plan for appropriate care of their seniors in that community.

Five years ago your ministry sent them back to the drawing-board and said, "We want you to come up with a plan that would integrate services and share facilities for maximum efficiency." Chapleau did just that. Not only did they do that, they also raised over \$1 million

from a community of 3,000 people to help pay for this facility that would have chronic care beds attached to their hospital. All approvals are now in place. The community is just waiting to go ahead with tenders.

Would you make a commitment today, since there are no other roadblocks except your approval for them to go ahead to ask for tenders, that you will remove the roadblock, namely yourself, to allowing this community to go ahead with this plan?

Hon Mr Wilson: Thank you very much for the question. If the community of Chapleau meets all of the criteria that we set out in the announcement of July 12, then I'd be very pleased to remove any other bureaucratic roadblocks that would be in the way and allow them to go ahead.

I look at my own community in Simcoe county, the Collingwood area, Barrie, Wasaga Beach, Alliston, Tottenham, and I find the system isn't as broke as the NDP let on when it was ramming through Bill 173. So I probably have a great deal of sympathy for the honourable member, and if Chapleau has come up with a local solution, I, for one, would not want to stand in the way of implementing that solution.

Mr Laughren: I must say that the minister demonstrates a lot of chutzpah in talking about anybody ramming anything through, given his government's performance these days.

I would simply say to the minister that if he's prepared simply to remove the roadblocks, that's fine. If he still has some problems with approving the project, I would simply ask him to meet with local officials who've worked so hard for so many years to make this project a reality.

Hon Mr Wilson: I thank the honourable member. I certainly accept the invitation and will undertake to do that. Hopefully, we will come to the conclusion that you've come to, obviously, and that is that there's no need to hold up this particular local solution, and I'd be happy to facilitate that.

VEHICLE SAFETY

Mr Mike Colle (Oakwood): A question for the Minister of Transportation: As you know, Minister, yesterday the inquest examining truck safety came up with 31 recommendations. Those 31 recommendations were strongly supported by the OPP front-line officers and the families of the unfortunate victims.

What concerns me, Mr Minister, is that last week when you unveiled your truck safety plan, the response from the front-line people, that is, the provincial truck unit, officers like Woolley and Sergeant Mark Wolfe, said that no one from your ministry, none of your staff, your bureaucrats, had the time to call them and ask them for their input. These are the people who are there where the tire meets the road. They're underneath the trucks. They've been there right where they're needed, yet no one had time to call them. Why did no one in your ministry find it important enough to get input from these front-line people?

Hon Al Palladini (Minister of Transportation): I would certainly like to differ with my honourable col-

league there. Truck safety and road safety remain a priority of this government.

As far as the allegations that the OPP were not consulted, or trucking associations were not involved in our think tanks, that is completely wrong. We had OPP implementation in our think tank and we also got together with the Ontario Trucking Association and other members to make sure that whatever we were going to input was going to work.

Mr Colle: In the Toronto Star last week it was reported again, Sergeant Mark Wolfe—this is the OPP sergeant—said:

“‘We kept waiting for a knock on the door but it never came.’...‘We are the front-line people...where the rubber meets the road. We are in this squad because we want to make a difference but government never asked for our opinions.’”

Senior Constable Cam Woolley, this OPP officer, told an inquest “that the truck unit, which is the only authority that investigates truck accidents in the Greater Toronto Area, was never asked for any input into the safety plan.”

Who is telling the truth here, Mr Minister, you or the OPP officers who testified at the inquest?

Hon Mr Palladini: This government, like I said, is going to work with our partners in making sure that truck safety is a priority, and we are going to commit to that.

I would like to remind the honourable member that if he would like to find out who's telling the truth, I would suggest that whoever that officer that he's referring to is would speak to his superior and he would automatically tell him who's telling the truth.

1430

CLOSURE OF FORT FRANCES JAIL

Mr Howard Hampton (Rainy River): My question is for the Solicitor General and Minister of Correctional Services. As he indicated yesterday, his ministry is proposing to close up to 14 jails around the province. I want to ask a question about one jail. It's the jail in Fort Frances, the jail that serves an area of 10,000 square miles. The nearest practical alternative jail is in Thunder Bay, three and a half hours away.

The police in the communities that are served indicate that no money will be saved by this closure. The minister might be able to show a saving on his corrections budget, but the police forces in Fort Frances and Atikokan and the OPP feel that they will incur greater costs transporting incarcerated people back and forth to Thunder Bay.

So I want to ask the minister: If you're not going to show any net savings, if you're dealing with a jail that serves an area of 10,000 square miles, if the nearest alternative practical jail is three and a half hours away, why would you propose to close such an institution?

Hon Bob Runciman (Solicitor General and Minister of Correctional Services): I suppose I could say to this member, why are you asking this question, given the fact that I've offered the opportunity to this member and other members of the Legislature for a meeting, this Thursday, to meet with the Provincial Auditor and talk about the 14 jails that he mentioned in his report in 1993 that the government should be taking a look at in terms of

continuing to operate? This member spoke to me a few days ago, last week, with respect to his concerns. I indicated we're going to consult, we're going to give him an opportunity to ask the kinds of questions, get the kinds of answers he's looking for at that meeting. Yet when I sent him out a letter advising him on the date and time of the meeting, I want to say that we had, within a day, copies of his letter that had been sent all over the province.

So he looks for consultation, he looks for opportunities for input. What's he do? He sends his letter out across the province, and he gets up here in the House and raises the issue. I'm somewhat befuddled, to say the least, in respect to this member's approach. I appreciate his concern. I want to give him an opportunity to have input, and what's he do? He's playing this up for all the political gain he can make.

Mr Hampton: The last time I checked, the issues of law enforcement and public safety were public issues and are things to be questioned and debated and asked about in public, not behind closed doors. I am merely exercising my privileges as a member of this Legislature and representing a very important area of the province. If the minister objects to that, then perhaps he objects somehow to democracy, and he has a problem.

Let me ask the minister another question, since I really didn't get an answer the first time: Of the total inmate population of Fort Frances Jail in the last year, over 45% of the incarcerated individuals had committed a serious criminal offence, a level 1 offence, that is, an offence like sexual assault, use of a firearm in the commission of an offence, assault causing bodily harm. Of the remaining offenders, 50% were guilty of offences dangerous to the public: attempted sexual assault, narcotic offences, firearm offences. So fully 95% of the people incarcerated in this jail are guilty of serious criminal offences.

Not only that, the town of Fort Frances is one of the larger entry points from the United States into Canada. In the last year alone, there were 29 drug seizures at the border—

The Speaker (Hon Allan K. McLean): Would you put your question, please.

Mr Hampton: —and 19 weapons offences. So I say to the minister, why would you be proposing to close a jail when it serves so many communities and where you have serious justice and law enforcement issues that this jail deals with?

Hon Mr Runciman: We're not considering closing 14 jails, as the member suggested. This is the Provincial Auditor's report that we're talking about and we're going to look at. And this member, and his party, this member particularly, has more nerve than a canal horse to be raising this issue.

I want to say he was a member of the cabinet of the former government, and what did the former government do with respect to jail closures? They closed a jail in Perth, in a Conservative riding. They closed a jail, Camp Hillsdale, in a Conservative riding. Did they consult? They didn't even talk to the mayor. The announcement came like a hammer to the forehead. That's the kind of consultation you believe in, and you get up here in the

House today and say we don't believe in democracy, we don't believe in consultation. Give me a break.

The Speaker: Member for Peterborough.

Mr R. Gary Stewart (Peterborough): Mr—

Interjections.

The Speaker: Order. Come to order, please.

Interjections.

The Speaker: Would the House come to order. Order. The member for Cochrane South is out of order, as well as many other members. The member for Peterborough has the floor.

DEVELOPMENT CHARGES

Mr R. Gary Stewart (Peterborough): My question is directed to the Minister of Municipal Affairs and Housing. There are many Ontario municipalities that have development charge bylaws that are expiring after five years and will have to be replaced or renewed if they wish to continue to collect charges under the act. Minister, is your ministry considering reforming the Development Charges Act?

Hon Al Leach (Minister of Municipal Affairs and Housing): I thank the member for the question. Again, as with rent control, we're fulfilling an election commitment to home builders and home buyers. The current system of charges does not work, and we are concerned that too many extra charges are being forced on developers and ultimately home buyers. We think that development charges do make some sense for hard services. There is a question if they make sense for other services, and we will be reviewing that entire act.

Mr Stewart: As a supplementary, I wish to ask the minister, in light of other proposed changes to restructure local government, will municipalities have direct input as to the kinds of changes that should occur before your ministry in fact drafts the legislative reform?

Hon Mr Leach: Again, thank you to the member. Yes, I've already had several meetings with AMO and I've already met with the home builders, and they will continue to have input into the process until such time as the revisions are ready to bring to the House.

CHILDREN'S NUTRITION

Mrs Sandra Papatello (Windsor-Sandwich): My question's for the Minister of Education and Training. It's been 145 days since the Premier promised to deliver a province-wide nutrition program as Premier—145 days. It seems quite longer, actually. I've asked the Premier when and how, and although he talks about the good work that's been done, we haven't seen any results yet.

In desperation, I'm seeking now, through the Ministry of Education, if indeed you're committed to the health and wellbeing of children, are you prepared to amend the Education Act to encourage school boards to cooperate with other ministries to provide programs where the needs exist?

Hon John Snobelen (Minister of Education and Training): It has been my experience in working with school boards over the last 145 days, and longer, that they need absolutely no encouragement to work for the betterment of children, particularly children who are in need.

Mrs Papatello: I hate to burst his little bubble. I know the—

Interjections.

The Speaker (Hon Allan K. McLean): Order.

Mrs Papatello: The Premier did make his promise to start this nutrition program. He's assigned it in fact to his parliamentary assistant's special assistant's assistant. I don't know how far down the line it went. However, I think he does realize that the problem is more complex in that, and so the solution may be.

The fact is that the Minister of Health may not realize that through the health units, 42 of which are across Ontario, they are already mandated to ensure that children receive proper nutrition.

1440

While the Premier's assistants and on down the line are busy organizing luncheons with the Chanel set to discuss volunteerism and throw in a token mention of nutrition programs, I think we've got to say clearly if the Minister of Education would commit to initiating discussions with his colleague at the Ministry of Health to ensure the program gets the necessary attention and that it indeed is a priority.

Hon Mr Snobelen: I am just surprised and I must say disappointed with the cavalier attitude that the member opposite has taken to the very serious issue of children's nutrition in this province. I would like to assure the member opposite that school boards, members of the business community and certainly members in this chamber are committed to making sure that children have the nutritional needs they need.

NURSING HOMES

Mr Len Wood (Cochrane North): To the Minister of Health: On October 16, your ministry announced the sale of 25 beds at a cost of between \$50,000 and \$100,000 per bed from the Cochrane nursing home to the Heritage Green Nursing Home in Stoney Creek. I understand this move is to increase the profitability at Heritage and increase the provincial average of beds available in the Stoney Creek area.

This decision was made without the benefit of results of the needs study which had been requested. I might point out that Mayor David Hughes of Cochrane, Reeve Ron Boivin of Glackmeyer township, and the chair of Lady Minto Hospital, Wayne Konopelky, are all concerned that the commitment was made during the election campaign that health care wouldn't be touched; it would be protected. Now they're losing beds from northern Ontario to southern Ontario and they're very much concerned that the future of this facility could be closed completely, taking that many beds out of it. What about the profitability of the Cochrane nursing home, Mr Minister?

I would like to know why the request for a needs study was ignored, and what the minister's plans are for the future of the Cochrane nursing home. Will it be closed, and will you meet with these people to discuss the issue?

Hon Jim Wilson (Minister of Health): Just to clarify matters for the honourable member and members of this House, we are following the same policy that has been in

place for about 10 years in this province over three different governments. That is, in this particular area, Cochrane, they had 183 nursing home beds per 1,000 population over the age of 75. Stoney Creek was considerably underbedded and there was a need, when the opportunity arose, to move some of those beds to the Stoney Creek area. The provincial average for nursing home beds, long-term-care beds, is 112 per 1,000 population over the age of 75. There still remain 37 beds at the Extendicare Cochrane nursing home, and I would be happy to have discussions with the community as to the future of that home.

You should know that I had a great deal of input, almost from the first day I was sworn in as Minister of Health, from the local community and we had a lot of back-and-forth discussions. At the end of the day, though, Stoney Creek needed the beds. It was a tough decision but one that I had to make.

Mr Len Wood: On the front page of the local newspaper they're saying that with 37 beds left in that facility, it's not profitable and it probably will close. With the number of beds being reduced by 40% and the additional jobs that will be lost in the area creating more unemployment, not being able to take care of their own relatives, friends and neighbours in the community because there are hundreds of miles they have to go to another home in this area, can the minister tell us how many jobs he is planning to reduce in Cochrane as the result of the decision that you've made to take health care out of Cochrane and move it to Stoney Creek? How many jobs are you prepared to sacrifice in Cochrane?

Hon Mr Wilson: We will be monitoring the situation in Cochrane, in all sincerity. The ministry and I are of the opinion that there are enough beds there now to serve the population. Certainly Stoney Creek and many other areas in the province didn't have the bed-to-population ratio that's deemed acceptable by health care experts in the province and providers. So I will undertake to continue to monitor the situation and receive any input from the honourable member that he may deem necessary. My door is open to you, Mr Wood, and any time you want to discuss this issue I'd be happy to.

AGRICULTURAL INDUSTRY

Mr Gary Fox (Prince Edward-Lennox-South Hastings): The Minister of Agriculture, Food and Rural Affairs recently held town hall meetings across this great province involving over 1,300 producers and processors. One of the priorities that surfaced was that of developing and expanding the agrifood export market in Ontario. Can the minister tell this House how this important sector of Ontario's economy is performing?

Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs): I want to thank my colleague for the question. It's something that many people do not know, the importance of the agrifood sector. The agrifood sector produces \$25 billion worth of food products and exports over \$4 billion every year. A lot of people don't know that. During the table talks, our farming community, our agrifood community asked us to make it known to the public in Ontario how important the agrifood sector

is to our province, and we are in the process of doing that.

Mr James J. Bradley (St Catharines): Absolutely.

Hon Mr Villeneuve: The member for St Catharines is really not interested, and it's rather sad because in his riding he seems to think the automotive industry is king, but they all eat, and it comes from the farm.

We've had a more than 10% increase in exports so far this year. We will be exporting \$5 billion of exports this year.

Mr Fox: My supplementary question is as follows: How is the Minister of Agriculture, Food and Rural Affairs encouraging growth in this industry?

Hon Mr Villeneuve: We have good demand for grain this year and good prices for grain. We will be exporting grain. We have trade missions. We have export commissions, and we will be improving and increasing our exports to all parts of the world but particularly to the United States, because it's awful nice to get those American dollars into our economy.

1450

MINISTRY ADVISER

Mr Robert Chiarelli (Ottawa West): My question is to the Minister of Community and Social Services. Minister, I'm informed that the registrar of the land registry office in Ottawa-Carleton has been seconded to your ministry at an annual salary of \$100,000 to work on welfare reform. I'm also informed, Minister, that this Ottawa resident, at the taxpayers' expense, will be provided with Toronto accommodation, weekly air travel between Ottawa and Toronto and three free meals daily. At this time, when you're telling a single person on welfare that they should be prepared to eat on \$90 a month, do you support this type of arrangement with somebody in your ministry?

Hon David H. Tsubouchi (Minister of Community and Social Services): The individual in question is working for our ministry, has been seconded. The reason this person is needed in our ministry is that she has the expertise to support the government's welfare reform agenda. This is just following the government guidelines that the previous two governments had, so this is nothing new.

The whole point here is that in order for us to transform the system that everyone wanted to monkey around with for the past 10 years—and it hasn't worked—we have to change the system from one of a cycle of dependency, which was supported by the prior two governments, to one of self-sufficiency, which we support as a government.

Mr Chiarelli: Yes, we have to change the system, and I can recall very, very well that the present Minister of Consumer and Commercial Relations rose in this House to criticize the former NDP government about a very similar arrangement that was made with a former Ottawa alderman who was appointed head of the Ontario Housing Corp. This person, who is now a minister in your government, severely criticized the NDP government for making that type of arrangement with somebody, including air travel between Ottawa and Toronto, including accommodation.

Your Minister of Consumer and Commercial Relations criticized the former government for that. Are you saying now that you are standing up here in this House and defending that type of arrangement? Yes or no.

Hon Mr Tsubouchi: I understand that the honourable member has pointed out a similar situation with the previous government. I suspect that if we went back to when your party was in power there'd be many instances of the same thing. In fact, I would suggest that perhaps we should look at some instances so we can compare them in the House.

But I want to point out something here: The fact of the matter is—

Interjections.

The Speaker (Hon Allan K. McLean): The member for Essex South is out of order, and I will not warn him again. You're out of order.

Hon Mr Tsubouchi: The point I was trying to make was that the system obviously isn't working; the system has to be fixed.

I had the privilege of being at a function the other day with the Chairman of Management Board, and at this particular function the Chairman of Management Board was able to say two things to this crowd.

The first thing was the fact that over the last 10 years, over \$40 billion was spent on welfare and in the system. The point is, people didn't understand what \$40 billion was. But when the Chairman of Management Board rose and said to these people, "Do you realize that the cost right now of the debt is \$1 million an hour? We have been here for two and a half hours and it's cost you \$2.5 million," believe me, you could not miss the sound of jaws hitting the floor.

COURT FACILITY

Mr David S. Cooke (Windsor-Riverside): I have a question to the Chair of Management Board. The minister stated earlier in October that a final decision would be made by the end of October on the future of Windsor's new courthouse. The minister will know that this is a project that has been planned for over 20 years, promised by three governments, and I'd like to know from the minister whether this project is going ahead.

Hon David Johnson (Chair of the Management Board of Cabinet): We are in the process of reviewing the courts. I did indicate, about the end of October, that there would be a report back from the Ministry of the Attorney General, not only with regard to the court in Windsor but with regard to about four other courts across the province of Ontario.

I'm happy to report to the member opposite that the reports are coming along, and I expect that the Ministry of the Attorney General will be reporting very shortly to Management Board. I'm confident that the member won't have long to wait for the final answer.

Mr Cooke: Our community's been waiting for a—
Applause.

Mr Cooke: The applause couldn't have been for the answer, so it must be for the supplementary question I'm about to ask.

My community's been waiting for this new courthouse for over 20 years.

Mr Chris Stockwell (Etobicoke West): Wasn't there an NDP government for five years?

Interjections.

The Speaker (Hon Allan K. McLean): Will the House come to order, please. The member for Etobicoke West is not in his own seat and he's out of order. The member for Windsor-Riverside has the floor.

Mr Cooke: I'd simply like to ask the minister, when there has already been \$12 million spent on the acquisition of land and phase 1 of construction, the underground parking, and when if the project is cancelled there would be another \$17 million in costs to compensate developers, how can your government, if it wants to be fiscally responsible, even consider cancelling this project?

Hon David Johnson: It is unfortunate perhaps that Windsor and the people of Windsor waited for this project for about 20 years. I wouldn't dare to point out, though, who was in office for the last five years preceding this. Obviously, the previous government had difficulty coming to grips with this issue. On behalf of the taxpayers of the province of Ontario, on behalf of the taxpayers who have a debt of about \$100 billion piled on by previous governments, on behalf of the taxpayers who are having to pay about \$9 billion a year in interest payments, we are looking at all construction, at all projects.

I understand that this particular project is well under way. That will certainly be taken into account, I'm sure, in the final report which I expect from the Ministry of the Attorney General on about five courthouses across the province of Ontario, on what we can afford for the future of the province of Ontario to invest in courthouses across this province. That's a report I think we should get. That report will be coming very shortly, and then I'm sure all your questions will be answered.

IMMIGRANTS' SKILLS

Mr Ron Johnson (Brantford): I have a question for the Minister of Citizenship, Culture and Recreation. It's a very serious question. I know it affects a number of people in this province, and I would hope that all members in this House take heed of the question and the answer because it is a very important issue.

In my riding over the last few months I've had a number of people, immigrants, come to me with concern. They have a common concern, and that concern is that they come to this country and settle in Brantford with tremendous skills, high levels of education, high levels of training and very marketable skills. However, they're having trouble getting those skills recognized within the province of Ontario.

What is the provincial government's position on problems that foreign-trained individuals face in getting their education and training recognized in this province?

Hon Marilyn Mushinski (Minister of Citizenship, Culture and Recreation): I thank the honourable member for Brantford for the question. Ontario receives over 100,000 immigrants each year. In fact, Ontario receives more than 50% of Canada's immigrant popula-

tion in any given year. There's no doubt that many of these immigrants are highly educated and highly skilled individuals. In fact, over 30% of those immigrants have post-secondary degrees and specialized expertise in their chosen occupation.

We recognize that access to trades and professions is a barrier that should be removed to allow equal opportunity for all Ontarians, and we are committed to achieving an immigration and settlement agreement with the federal government in order to address that issue.

Mr Ron Johnson: I'm certainly pleased to hear that the minister understands that this is a problem within the province. It's refreshing to see a government that truly understands that and is committed to doing something about it.

Interjections.

The Speaker (Hon Allan K. McLean): Order. The member for Hamilton East is out of order, and the member for Windsor-Sandwich.

Mr Ron Johnson: In my riding we have a number of immigrants who really make a valuable contribution to my community of Brantford, and I'm very pleased at the response.

My supplementary is, quite simply put, what is the ministry doing specifically to address this issue?

Hon Ms Mushinski: That's a very good question. The ministry is developing best practices to build on the experiences of recently funded demonstration projects. These best practices can serve as models which can be applied across different professions and trades. To this end, \$130,000 will be spent in this area in this fiscal year.

1500

HIGHWAY SAFETY

Mr Michael Gravelle (Port Arthur): I have a question for the Minister of Transportation. Mr Minister, you have already confirmed in this House that cutbacks to winter road maintenance will begin on November 13. These cutbacks include reducing patrol hours from 24 to 16, increasing the area of patrol from 115 kilometres to 190 kilometres, and cutting the number of sanders and snowplows by over 10%. Yet you insist that your standards have not changed, that you "will maintain the standards Ontario has been used to."

Will you commit today, Minister, to the members of this House and to the people of Ontario that these standards, as contained and detailed in your ministry document M-700-1 outlining winter maintenance standards in the province, will be absolutely adhered to this winter despite your cutbacks?

Hon Al Palladini (Minister of Transportation): I would like to remind or confirm to the honourable member that this government is committed to maintaining the safety standards as far as winter maintenance is concerned.

But I can understand, being in government in the second-last term and how you used to spend money—this government is going to do better for less. We are going to do what we said. We will maintain those standards.

Mr Gravelle: I think the minister has just said he's not willing to maintain the standards. I think he just said that now.

It's important for you to understand, Minister, these casual assurances you've given us before don't begin to calm the real fears of people living in northern Ontario and other snowbelt regions of the province, in fact the entire province. We need a legislated guarantee that winter road maintenance standards will be met. That is why later today I'll be tabling a private member's bill that will entrench those standards so that they must be met. Obviously, we need this kind of bill.

If you want to assure the people of Ontario that you will maintain the standards Ontario has been used to, as you've been quoted as saying several times, will you today commit to support my bill, which will legislatively commit the province to meet these standards?

Hon Mr Palladini: I will commit today to the honourable member that we are going to be spending \$130 million to maintain winter maintenance. That is a commitment that will suffice as far as the standards are concerned. So \$130 million is my commitment and this government's commitment.

HERITAGE LANGUAGES

Mr Tony Silipo (Dovercourt): I have a question for the Minister of Education and Training. The minister, I'm sure, will be familiar by now with a program that is funded through his ministry called the international languages program. It's a program that provides teaching of languages other than English or French to elementary school students.

It was started in 1977. Some 120,000 students are now involved in this program in 52 different languages that are taught throughout the province. As has been mentioned by certainly many members in this House over the years, it's a program that provides young people both an opportunity to learn their home language and indeed to learn other languages, because it's open to anyone to learn any language they wish.

In the Common Sense Revolution, the government says it is committed to safeguarding classroom funding. My question to the minister simply is, can he commit today to see this program continue to be funded at the same level that it is funded now, which is to the tune of \$16.5 million a year?

Hon John Snobelen (Minister of Education and Training): I'm sure the member won't be surprised to find out that I am not today going to table our grant program for next year, but I can assure the member opposite that I consider the national language program to be very important. Heritage languages are very important to the people of Ontario, and it in fact will be one of the competitive advantages, I believe, that Ontario faces in the future, because we have such a diverse culture here in Ontario.

Mr Silipo: I have to say that I am, in part, surprised and pleased to hear the comments from the minister. I think it's important that he as Minister of Education recognize the economic importance that being able to speak the different languages of the world provides us as a community.

I know the Minister of Economic Development and Trade has spoken about that strength, as I've heard the Minister of Culture also speak about the strength of our multilingual population. Indeed, the Premier, during the election and before the election, spoke about the value of the program.

But I want the Minister of Education today to tell us—and I think it's a very straightforward question, because he and his government have committed to protecting classroom spending, to not cutting classroom spending, so I don't think my question is that unreasonable at this point—to get him to say here to this House that he will not cut spending to this program and that whatever reductions in spending will have to come may have to come from other areas of administration, as they have talked of many a time, but that this program, as a classroom program, will be protected like all other classroom programs.

Hon Mr Snobelen: I'm pleased that the member opposite has brought forward today and restated for the people of Ontario, first of all, the appreciation we have as a government for the value of the multicultural society we live in and the appreciation we have as a government for the possibility of that multicultural society. I'm also glad that the member opposite has restated our commitment, and our very serious commitment, to making sure that the quality of education in the province of Ontario is enhanced, that the value the taxpayers receive for that education system is the best value possible, in fact the best value across Canada.

I look forward to tabling our grants for next year in the Minister of Finance's statement later on this fall.

Mr Dwight Duncan (Windsor-Walkerville): On a point of privilege, Mr Speaker: In the Minister of Labour's response to the leader of the third party today, she indicated that amendments to Bill 7 were provided to the opposition parties on Friday. That is not the case. They were received Monday morning, and indeed a number of the amendments were received as late as 11:15 today. Would you, sir, move to correct the record of what was said in the House earlier today?

The Speaker (Hon Allan K. McLean): That is not a point of privilege.

MOTIONS

ORDER OF BUSINESS

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): I move that the House do now proceed to orders of the day.

The Speaker (Hon Allan K. McLean): Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

It will be a 30-minute bell.

The division bells rang from 1507 to 1537.

The Acting Speaker (Mr Gilles E. Morin): Will the members please take their seats.

All those in favour of Mr Eves's motion will please rise and remain standing until you are counted.

Please take your seats.

All those opposed will please rise and remain standing.

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 71; the nays are 34.

The Acting Speaker: I declare the motion carried.

I will now leave the chair and proceed to committee of the whole.

ORDERS OF THE DAY

House in committee of the whole.

LABOUR RELATIONS AND EMPLOYMENT
STATUTE LAW AMENDMENT ACT, 1995

LOI DE 1995 MODIFIANT DES LOIS
EN CE QUI CONCERNE LES RELATIONS DE TRAVAIL
ET L'EMPLOI

Consideration of Bill 7, An Act to restore balance and stability to labour relations and to promote economic prosperity and to make consequential changes to statutes concerning labour relations / *Projet de loi 7, Loi visant à rétablir l'équilibre et la stabilité dans les relations de travail et à promouvoir la prospérité économique et apportant des modifications corrélatives à des lois en ce qui concerne les relations de travail.*

The First Deputy Chair (Mr Gilles E. Morin): Perhaps before we start, I will read the following:

"That, pursuant to standing order 46 and notwithstanding any other standing order of the House relating to Bill 7, An Act to restore balance and stability to labour relations and to promote economic prosperity and to make consequential changes to statutes concerning labour relations, when Bill 7 is next called as a government order, the Speaker shall put every question necessary to dispose of the second reading stage of the bill"—

Mr Chris Stockwell (Etobicoke West): Dispense.

The First Deputy Chair: Dispense? No?—"without further debate or amendment; and at such time, the bill shall be referred to committee of the whole House;

"That two hours shall be allotted to consideration of the bill in committee of the whole House. At the end of that time, those amendments which have not"—

Interjections.

The First Deputy Chair: Order, please. The member for Grey-Owen Sound, take your chair, please.

"At the end of that time, those amendments which have not yet been moved shall be deemed to have been moved and the Chair of the committee of the whole House"—

Mr David Christopherson (Hamilton Centre): On a point of privilege, Mr Chair: I want to ask, in light of my rights as a member and those of my colleagues, that there be some opportunity, before we steamroller this through, to at least read this document that is the clause-by-clause—

Interjections.

Mr Christopherson: This is the clause-by-clause analysis that landed on my desk two minutes ago.

Interjection: When?

Mr Christopherson: Two minutes ago, and that is totally unacceptable, and I can't believe the government

is going to accept that. Mr Chair, my rights as a member and my role as the critic are being interfered with.

The First Deputy Chair: This is not a point of order.

Mr Christopherson: How can I do my job when—

The First Deputy Chair: Take your seat, please.

Interjections.

The First Deputy Chair: Order.

“That consideration of the third reading stage of the bill be completed on the same day that it is reported from committee of the whole House and that notwithstanding standing order 9(a) the House be authorized to meet beyond its normal adjournment time until completion of the third reading stage of Bill 7.”

Hon Elizabeth Witmer (Minister of Labour): Mr Chair, I would ask that the Ministry of Labour staff be permitted to assume their seats at the table and also that I be permitted to—

Interjections.

The First Deputy Chair: Minister, are there any amendments that you'd like to bring in?

Hon Mrs Witmer: I would like to the move the following amendments:

Subsection 3(3.1) of the bill; subsection 5(6) of the bill; subsections 6(4), (5) and (6) of the bill; section 8.1 of the bill; subsection 11(2) of the bill, subsection 1(1.1) of the act; section 12 of the bill, subsection 1.1(1) of the act; section 12 of the bill, subsection 1.1(2) of the act; section 12 of the bill, subsection 1.1(3), paragraphs 12 and 13 of the act;

Subsection 16(3) of the bill, subsections 4(13.1) and (13.2) of the act; subsection 19(1.1) of the bill, subsection 7(2) of the act; subsection 35(2) of the bill; section 45 of the bill, subsections 42(2.1) and (2.2) of the act; section 50 of the bill, section 52 of the act; section 61.1 of the bill;

Subsections 65(8) and (9) of the bill; section 65.1 of the bill; section 69 of the bill, subsection 13.1(2) of the act; section 69 of the bill, subsection 13.1(4) of the act; section 69 of the bill, subsections 13.1(7.1) to (7.6) of the act; section 69 of the bill, subsection 13.1(7.7) of the act; subsection 73(1), clause 58.1(2)(a) of the act; section 76 of the bill;

Subsection 79(1) of the bill, subsection 65(6) of the act; subsection 79(1) of the bill, subsection 65(7) of the act; subsections 79(2) and (3) of the bill; subsection 80(1) of the bill, subsection 52(3) of the act; subsection 80(1) of the bill, subsection 52(4) of the act; subsections 80(2) and (3) of the bill; section 82 of the bill; subsections 83(1) and (2) of the bill; subsection 83(4) of the bill;

Schedule A, subsection 4(1) of the bill; schedule A, subsections 7(9) and (10) of the bill; schedule A, subsection 7(13) of the bill; schedule A, subsections 8(2) and (3) of the bill; schedule A, subsection 8(5) of the bill; schedule A, subsection 10(1) of the bill; schedule A, section 16 of the bill;

Schedule A, subsection 37(2) of the bill; schedule A, subsection 43(8) of the bill; schedule A, section 44 of the bill; schedule A, subsection 48(4.1) of the bill; schedule A, subsection 48(11) of the bill; schedule A, subsections

48(12.1) and (12.2) of the bill; schedule A, section 53 of the bill; schedule A, section 53.1 of the bill;

Schedule A, subsections 62(3) and (4) of the bill; schedule A, subsection 62(7.1) of the bill; schedule A, subsection 62(9) of the bill; schedule A, subsection 62(10.1) of the bill; schedule A, subsection 62(14.1) of the bill; schedule A, subsection 78(3) of the bill; schedule A, subsections 78(5) and (6) of the bill; schedule A, subsections 95(6) and (7) of the bill; schedule A, subsection 98(10) of the bill;

Schedule A, section 101 of the bill; schedule A, clause 110(2)(1) of the bill; schedule A, section 130 of the bill; schedule A, section 144 of the bill; schedule A, subsection 145(4) of the bill; schedule A, subsection 160(2) of the bill; schedule A, section 164 of the bill; and schedule A, subsections 166(2) and (3) of the bill.

1550

The First Deputy Chair: Are there any further amendments? The official opposition.

Mr Dwight Duncan (Windsor-Walkerville): No amendments.

The First Deputy Chair: Shall sections 1 and 2 stand part of the bill?

All those in favour will please say “aye.”

All those opposed—You want to discuss section 1?

Mr Duncan: Mr Chair, are we dealing with sections 1 and 2 right now?

The First Deputy Chair: Section 1 only.

Mr Duncan: Section 1. Are we permitted at this time to ask questions?

The First Deputy Chair: On section 1, if you so wish.

Mr Duncan: Yes. Given the fact that we've only been provided with this information, is the wording in this section correct?

“1(1) The Labour Relations Act, 1995, as set out in schedule A, is hereby enacted.”

Is that correct?

Hon Mrs Witmer: Yes, that is correct.

The First Deputy Chair: Any further questions on section 1? Shall section 1 carry?

All those in favour will please say “aye.”

All those opposed will please say “nay.”

In my opinion, the ayes have it.

Mr Peter Kormos (Welland-Thorold): On a point of privilege, Mr Chair: We do not have copies of these amendments. The minister goes through her litany of subsection and section numbers. How can we ask questions when they don't provide members of this House with copies of the amendments? She refuses to read them into the record. She has no regard for democracy, no regard for this House, no regard for this Legislature, no regard for the roles and responsibilities and obligations of members of this Parliament. She shows disdain not only for this institution but the public of this province, the voters of this province—

The First Deputy Chair: Thank you. This is not a point of order.

Mr Kormos: Why won't the Chair act in a fair-minded way and—

The First Deputy Chair: Please take your seat.

Shall section 2 stand part of the bill?

Mr Gilles Pouliot (Lake Nipigon): We have a job to do, Mr Speaker, and we have no material.

The First Deputy Chair: Shall section 2 stand part of the bill? The question has been asked.

Mr Pouliot: On a point of order, Mr Speaker: The good people in Lake Nipigon have asked me to do their job, a very simple job, which is to represent their interests. I'm trying to do this, but I need the material to do so. What we have is a minister who is hiding behind numbers. We don't have the actual details of the amendments that are being proposed and I trust there are more than 40 of them. A simple request, a reasonable request: Where is the material so we can follow the legislation?

The First Deputy Chair: The question has been asked. Debate on section 2?

Shall section 2—

Mr Alvin Curling (Scarborough North): On a point of order, Mr Chair: I just want to know how we're going to follow this procedure. I'd like a copy of this so I can know if I'm for or against that section. I haven't had a copy of this legislation and amendments. Could I have a copy so that I will be able to know if I support it or do not support it?

The First Deputy Chair: The understanding is that copies have been given.

Hon Mrs Witmer: On a point of order, Mr Chair: Let me indicate to you that there are obviously some games being played. We communicated with both of the opposition parties on Friday afternoon. We indicated that the amendments would be made available to them. They were made available to the opposition. I understand they got them Friday at 6:30. They had asked for them. On Friday, we provided them. We know that they have ample copies to do the job that is necessary.

Mr David S. Cooke (Windsor-Riverside): On a point of order, Mr Chair: I think that the minister knows better than what she just said. We got some amendments on Friday. We were promised that we would get the final amendments on Monday. We didn't get them on Monday. You were debating all day yesterday, at policy and priorities board of cabinet, your policy decisions on amendments to this bill. We didn't get them last night, as your House leader's office had promised we would. We got the final amendments this morning at 11 o'clock, the ones that are consequential, that are major amendments.

You would never have stood for this when you were over here. Why don't you do the right thing so that the legislation is right and correct? Adjourn the House and give the House time to take a look at the amendments.

The First Deputy Chair: That's not a point of order.

Mr Duncan: On a point of privilege, Mr Chair: We did not get the amendments to this bill until this morning. Indeed, some of the amendments we received this morning changed amendments that you had given us previously. No amendments were received in this office, in the office of the official opposition, until after the close of normal business, and they were not received

formally. It is completely false to suggest that we had the weekend or even had an opportunity to review these amendments.

The First Deputy Chair: Take your seat, please. This is not a point of privilege.

Interjections.

The First Deputy Chair: Please take your seats.

Mr Christopherson: Point of order. I have got a point of order.

The First Deputy Chair: Take your seat, please.

Mr Pouliot: He's got a point of order. He's a member, Mr Chair.

The First Deputy Chair: Take your seat. I'd just like to remind you that two hours have been allocated, and you are now using that time instead of debating the amendments.

Mr Christopherson: On a point of privilege, Mr Chair: You have to appreciate that to do the job properly, at the very least we have to have the information. You've heard it said that the minister is not entirely accurate. I think that's as strong as I can put it parliamentarily.

I just got the package. I'm the critic for this party. I just received the package of amendments a couple of hours ago. The clause-by-clause explanation, the analysis—look at this: 649 pages I got some five or 10 minutes ago. If you won't listen and the government won't listen, for God's sake, will the media pay attention to what's going on in here. This is outrageous. Look, nobody knows what's happening.

The First Deputy Chair: Order. As far as the table knows, the amendments have been submitted by 2 o'clock. The question that has been asked is, shall section 2 stand as part of the bill?

All those in favour of the motion will please say "aye."

On section 2?

Mr Gilles Bisson (Cochrane South): On section 2. Mr Chair, we're being asked to comment here in regard to section 2, and what we're talking about here is the new act versus the old act. I would like to point out, as the member from Hamilton did, that we're being asked to comment on the section. There were no amendments brought forward until roughly about an hour ago. This is what I'm being asked for as a member representing the people of Cochrane South in this province in regard to this bill.

What do I have? I have government amendments that have been brought forward to me, merely just a few minutes ago, and I'm being asked to vote and to speak and to try to figure out what to do with this bill while this government is steamrolling the whole democratic process and saying to the people of Ontario: "Be damned with democracy; we know best. We're Tories, we know it all, we know what to do. You have no rights as a democratic opposition in this country." Be damned with you, Madam Minister.

1600

Hon Mrs Witmer: I think we have to be totally honest about what's happened. First of all, as I indicated before, phone calls were made to the two opposition

parties. It was indicated to you that the amendments would be available starting on Friday night. The amendments were made available to you on Friday night. Further amendments were provided to you yesterday and today, and I have just received a note indicating that you chose not to pick up your amendments. They were available. Furthermore—

Interjections.

Mr Duncan: Point of privilege.

Mr Cooke: Mr Chair, that is not a point of order. I have a point of order.

The First Deputy Chair: Will you please take your seat, Minister. I will listen to your point of order.

Mr Cooke: On a point of order, Mr Chair: I indicated earlier—and the minister knows that she is not presenting the facts—there were no amendments provided to us yesterday; they were provided today. We got the most important amendments today, a couple of hours before the House reconvened, and then this book at another period of time. Nobody in this House except for the critics even has the amendments, and they only got them a couple of hours ago.

Maybe you should try to figure out, in your own ministry, what you committed yourselves to and what you didn't do. We did not get amendments yesterday. We got the minor amendments on Friday night at 6:30 and the major amendments this morning.

Ms Frances Lankin (Beaches-Woodbine): Don't shake your head.

Mr Cooke: Don't shake your head. They came into my office, as the House leader, and we got them this morning. Your House leader's office called yesterday and said we would not get them. That's the fact.

Mr Duncan: Point of privilege.

The First Deputy Chair: Please take your seat.

Mr Duncan: My privileges as a member have been denied.

The First Deputy Chair: We don't have a point of privilege at the moment. Take your seat, please.

Mr Cooke: And then you sit there and laugh. What an absolute, arrogant hypocrite.

Interjections.

The First Deputy Chair: Order, please. Order. The member for Windsor-Riverside, I would ask you to withdraw that remark.

Mr Cooke: I'll withdraw it because I want to be here to vote against this bill.

The First Deputy Chair: The question that has been asked was on section 2. Shall section 2 stand as part of the bill?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Sections 1 and 2 are carried.

Mr Duncan: On a point of order, Mr Chair: This clause-by-clause analysis has not been provided in both official languages, and I believe it has to be in this House.

Le Premier Vice-Président : Les amendements ont été soumis en français et en anglais. Si vous désirez en obtenir une copie, je suis assuré que c'est certainement possible de le faire. We will now deal—

M. Pouliot : Monsieur le Président, je vous en prie.

The First Deputy Chair: Another point of order, the member for Lake Nipigon.

M. Pouliot : On a point of order, Monsieur le Président: je suis un peu en état de choc. Non seulement, avec respect, je reçois la copie du projet de loi 7, mais tout à coup je regarde — pas un seul mot en français.

Vous savez, je sais bien que nous sommes au lendemain d'un référendum. Je sais qu'hier soir les gens se sont prononcés, mais je sais aussi qu'au fil des ans, à travers l'unanimité de la Chambre, on a toujours insisté que notre droit de recevoir le matériel en français, aussi bien qu'en anglais, naturellement, en était un de privilège. Je demande que ceci me parvienne en français pour que je puisse contribuer avec Madame la Ministre.

Monsieur le Président, c'est à vous de décider. C'est vous qui avez cette sagesse, c'est vous qui avez ce pouvoir, mais mes droits non seulement comme individu mais comme membre de l'Assemblée législative exigent, ma langue maternelle étant le français, que je puisse me défendre, que je puisse m'intégrer au projet de loi qui est présenté aujourd'hui.

Comment pourrai-je faire mon travail si on ne me donne pas, si on ne m'offre pas l'outil de travail qui est le texte en français ? C'est une requête tout à fait normal, tout à fait raisonnable, vous en conviendrez, Monsieur le Président.

Le Premier Vice-Président : Voici, Monsieur le député de Lac-Nipigon, pour répondre à votre question : il semblerait, d'après l'information que nous avons obtenue ici à la table, que les documents auraient été remis en français. Par contre, pour vous rendre la tâche encore plus facile, je vous permets tout simplement de venir les lire ici à la table.

Mr Jean-Marc Lalonde (Prescott and Russell): Mr Chair, on a point of order: What's going on today, I've never seen anything like it before. As a former mayor of a municipality, I've always preached to my colleagues, "Never vote on a document that you haven't read." Today we are presented with a motion here and it seems that the majority of us hasn't seen this document. I just can't vote with it. I prefer walking out of the House instead of voting.

The First Deputy Chair: To answer your question, the table understands the documents were given by 2 o'clock. It's up to you to decide to read those amendments. It's not up to the table—

Mr Bisson: Mr Chair, hold it, Monsieur.

The First Deputy Chair: Please take your seat. The member for Cochrane South, take your seat, please.

The member for Welland-Thorold, please take your seat. Please take your seat. I have a point of order to answer.

The documents were given. It was up to you to read them.

Interjections.

The First Deputy Chair: The member for Cochrane North, order.

I would ask your cooperation. This is your House. Everybody has the right to debate the question that has been asked. We're debating section 3.

Mr Kormos: Mr Chair, on a point of order: I want to speak to section 3.

The First Deputy Chair: The amendment hasn't been introduced yet.

Mr Mario Sergio (Yorkview): Mr Chair, on a point of order: I would like the minister to clarify one particular point. We have just heard that further amendments were provided this morning to the critics, further amendments to the package which was presented to those critics on Friday. I'd like to ask the minister, did you make more amendments to the package which was presented to the critics on Friday?

Hon Mrs Witmer: Yes. I would just say to the member opposite, the only requirement is that the amendments be in the House before 2 o'clock. We were waiting for amendments from your party, the Liberals and the NDP, and we have received none. So these are the only amendments we're dealing with.

Mr Kormos: I'd like to speak to the amendment.

The First Deputy Chair: The amendment hasn't been moved yet. We haven't debated it. It hasn't been moved yet.

Minister, the amendment on section 3.

Hon Mrs Witmer: I move that section 3 of the bill be amended by adding the following subsection:

"(3.1) Despite subsection (2), in a proceeding relating to an application for certification of a trade union as a bargaining agent, the presiding person or body shall apply sections 5, 8, 9 and 9.1 of the old act and not sections 7, 8 and 10 of the new act. This subsection applies only with respect to applications for certification made before October 4, 1995."

The First Deputy Chair: Questions or comments. Please go ahead.

Mr Kormos: If you take a look outside this building, southeast of here, on Queen's Park Circle, you see a plaque dedicated to the printers of 1872 who marched in the thousands, indeed 10,000 of them, over a century ago, to this very site, to fight for a nine-hour workday; not a five-day work week, not a six-day work week, not an eight-hour workday, to fight for a nine-hour workday. They were met with the brute force of the government of the day. They were met with the jackboots of a government of over 100 years ago that is more than equalled by the Harris Tories of today. And I speak to section 3 of this bill, of this very important Bill 7.

1610

Chair, you've got to understand that I, like a whole lot of my colleagues, like more than a few of these Tory backbenchers, come from communities where working women and men now for decades and generations have fought fights, all of them difficult, some of them bloody, many with great sacrifice to themselves and to their families and to their children; working women and men who faced the truncheons on the picket line, who fought

for the simple notion of the right to strike, and who, until the introduction of Bill 40, when they took the desperate and serious and oh-so-frightening action for so many workers, when they made that hard-fought decision to remove, to withdraw their work from the workplace, also faced the prospect of the potential for violence and the actual violence that scabs—they're not replacement workers; please, they're scabs. They were scabs when Jack London called them scabs and they're scabs now in 1995.

Mr Stockwell: On a point of order, Mr Chair: Are we in the clause-by-clause questions and comments? May I ask you what clause we're on and what specifically the member is speaking to? I would ask that you remind the member that we're in this and what we're speaking to.

The First Deputy Chair: I would like to remind the whole House to cooperate with the table. I would ask also the member for Welland-Thorold to debate the amendment on section 3; nothing else. If you don't, I will interrupt you and bring you back to order. Is that clear? The member for Welland-Thorold, you have the floor on the debate on the amendment on section 3.

Mr Kormos: I speak to section 3, Chair, of course I do. In the course of any number of these debates I've discovered that the Chair is adamant and insistent that one address oneself, when one is debating this clause by clause, to the appropriate section. But you have to understand the section and the context of the bill because, after all, it's a section that amends the whole bill.

We can talk about the section, but we also have to talk about Bill 7, because to talk about it in isolation goes beyond naïve. It walks into the arms, into the spider's web of a government that halters, of a government that would prevaricate, of a government that indeed would impose its will on a community of some 11 million people, including millions of hardworking women and men, through this bill and through this very amendment, without a single opportunity.

Because, you see, as I discuss this section, section 8.1, government motion 3, I have to also discuss it in the context of the reality that the people of this province will never have a chance to present their views, their critique, their opinions, their approach, their response, in a public forum.

I've been blessed, because I've been given an opportunity, over the course of the last mere two or three minutes, to review this very amendment. The fact is that the government backbenchers haven't got the slightest idea. They know diddly-squat about either government motion 3 or any of the other motions that are being moved as amendments to this bill.

They have neither the wit nor the courage to stand up and insist that they too be permitted to be involved in debate over Bill 7 and its respective amendments so that their constituents know where they stand, so that their constituents, their workers, the women and men in their ridings, will understand where they stand on the right of working women and men to organize freely, the right of working women and men to withdraw their labour from the workplace without fear of scabs and thugs on picket lines.

We've seen thugs lately, Chair. We've seen the thuggery of a government that permits the most modest debate on one of the most substantial pieces of legislation, legislation that rolls us back into the previous century as we now face entry into the next millennium.

Mrs Margaret Marland (Mississauga South): Is that parliamentary, Mr Speaker?

Mr Kormos: You're darn right it's parliamentary. What's unparliamentary, Chair, is shutting down debate, silencing the opposition. What's unparliamentary—

The First Deputy Chair: Order. Will you please take your seat for a minute. I just want to let you know that you have to be very careful in the type of words you use. I'm just telling you, be careful when you choose your words. Be careful.

Mr Kormos: Thank you, Chair. I should indicate to you that I have chosen my words exceptionally carefully, and when I accuse this government of palteriness—and it indeed, if guilty of nothing else, is guilty of the utmost palteriness—it's something about which this government should be neither proud nor pleased, nor should its backbenchers, nor should its little blue-suited people who are here following marching orders without even the capacity—because just as we've been denied access to these amendments, so have they—to understand what it is they're going to be called to vote on.

They have displayed in short order a disdain for one of the fundamental obligations of the majority, and that is to protect the rights of the minority. Members of the opposition know they're in the minority here; that's why they're members of the opposition. But there is an honourable and long-held obligation on the part of government.

Take a look up at those walls, and you see, facing the respective sides—and this is in the context of amendment to the bill, because we have to consider this amendment within the context of our role and responsibilities as legislators. We look up there and we see the eagle encouraging the opposition to be tenacious, encouraging the opposition to be bold in its protection of the rights of the minority and, in this instance, of the rights of working women and men.

I point out to government members that on that side is an owl, which is supposed to impart a sense of wisdom. I'm afraid that the myopia from the government benches has prevented them from watching that owl, because the wisdom is—

Mr Sergio: On a point of order, Mr Chair: I'd like to ask the minister, those amendments, today's and Friday's, were they also not presented to your own members?

The First Deputy Chair: This is totally out of order. Please take your seat.

Interjection.

The First Deputy Chair: Take your seat. The member for Welland-Thorold, before you start, I'd like to remind you that we're debating an amendment to section 3. I just want to remind you.

Mr Kormos: This amendment to section 8.1 of the bill speaks specifically about how subsections 78(3) and (3.1) of the new act do not apply with respect to a strike

that begins before the day on which this new act, the Labour Relations Act, 1995, comes into force.

A bill, a piece of legislation, has to be taken in its whole context. You know full well, Chair, with your experience as a legislator in this Legislature, that the interpretation of legislation requires one to look at the whole context. You can't isolate a subsection or a clause and interpret that standing on its own. When we're talking about section 8.1, the amendment that's contained here in motion 3 by the Minister of Labour—how dare she call herself that. When we look at this subsection—

The First Deputy Chair: Order. Section 8.1 I'm not familiar with. I'm familiar with (3.1).

Mr Kormos: That's what we're getting to, Chair. Please. I understand that it's distracting to have people hollering and hooting and carrying on, and I appreciate that the Chair may on occasion have difficulty hearing me, but I'm doing my best. I'm doing my best, Chair.

1620

I'm telling you that what's repugnant and what's offensive to the people in Welland and Thorold, what's offensive to the working women and men in the industries and in the service sector and in the construction trades where I come from, what's offensive to members of IAM, who work at the airport transporting people's baggage, like Jason Barlow sitting here in the members' gallery today, what's offensive to people who have dedicated their lives to the trade union movement, is a government with jackboot tactics, is a government with—

The First Deputy Chair: Order. I will not accept that type of language.

Mr Kormos: I withdraw "jackboot tactics"—is a government with a style that would make General Pinochet blush, a government that has disdain for democracy—

The First Deputy Chair: Order.

Mr Kormos: I withdraw that comment.

The First Deputy Chair: Order. The member for Welland-Thorold, please take your seat. Please be careful with your language.

Mr Kormos: Mr Chair, I'm being extremely careful about my choice of words because I want what I say to represent dearly what I feel and what I believe about the subversion of democracy that has taken place here over the course of the last couple of weeks.

You know, Chair. You've sat on both side of this House, and you know how important it is for public hearings to accommodate the views of the public. You know it is only a lack of courage that would preclude a government from letting the public comment on this motion before the House right now, section 8.1 of the new bill, as amended by this motion. You know how it is unprecedented in this Legislature by any number of governments for there to be a denial of access on the part of the public to public hearings.

What can motivate that? Is it fear? Is it fear on the part of the government that indeed their legislation not only lacks popularity but is an attack on the very heart, the women and men who will be impacted by this subsection and all the other sections of Bill 7 as amended, and

amendments as amended? Is it fear? Or is it because the government would have to illustrate that it indeed has no interest or concern for working people but that its true boss is their rich friends, their rich corporate buddies, the rich guys in the blue suits, the ones who are going to get the big tax breaks on the backs of the poor, on the backs of women, on the backs of children, on the backs of the seniors, on the backs of the sick, and now on the backs of working women and men?

I tell you, I find this repugnant. This is intolerable. I tell my colleagues across the way, many of whom sit in this Legislature for the first time in their careers, that they should be ashamed. They should be ashamed. They should be ashamed that they have violated their oath, they have betrayed their constituents, they have attacked not just workers but the very institution, a democratic Parliament, that we have come to accept as the backbone of our society.

The First Deputy Chair: Any further questions or comments?

Mr Duncan: On subsection (3):

“(3.1) Despite subsection (2), in a proceeding relating to an application for certification of a trade union as a bargaining agent, the presiding person or body shall apply sections 5, 8, 9 and 9.1 of the old act and not sections 7, 8 and 10 of the new act.”

Why is it that section 8, Minister, will not be applied?

Hon Mrs Witmer: I would like to indicate to you that the motion we're dealing with, as you well know, deals with the applications for certification. What we needed to do was to make a determination regarding the timing of the filing of certifications, so what we have done here is determine that any certifications initiated prior to the introduction of Bill 7, which would be on October 4 or before, would be decided under the old provisions of the Labour Relations Act, and any certifications that were filed after, on October 5 or later, would be dealt with and decided under the new provisions of the Labour Relations Act, which, as you know, would mean the secret ballot vote.

Mr James J. Bradley (St Catharines): The amendment would be much easier to understand were it presented to the House at the appropriate time. Our member has asked a very appropriate question and would have many other questions, but it's very difficult in speaking to this amendment to be cognizant of all its ramifications when this is not provided.

The members of this House should witness what is happening this afternoon. There's total disarray. The amendments have come in at the very last minute. The government would have been better to take a day or two longer to at least get its act in line on these amendments so we could have an interesting discussion. All you're going to get this afternoon is disruptiveness and a lot of frustration expressed because the amendments weren't provided in a timely fashion.

Mr Christopherson: I want to concur that with regard to this particular section and every other section of the bill as it's being amended, these are the kinds of

documents being dropped on our desks literally, in the case of the final package of amendments, a few hours ago. Contrary to what the minister may believe, the amendments in their final package were not provided until just a few hours ago. I would hope that anybody at home listening, whether they support your package or not, would appreciate what that does to the democratic process and how impossible it makes the job of opposition members to participate in a proper way.

Analysis: Because I don't have the ministry folks I once had when I was over there and certainly don't have the ones you do, we need the information provided to us. That is why governments provide, when bills are moving through the House, background information that provides technical expertise in a way laypeople can understand, so we can properly represent our constituents and participate.

The First Deputy Chair: The member for Hamilton Centre, we're debating an amendment to section 3. It has to take place. That is the debate taking place now, nothing else. It's the amendment to section 3. That was the question I brought to you.

Mr Christopherson: Mr Chair, I am speaking to that point. What I am identifying is my and my colleagues' inability to talk at any great length or with any expertise about what's in front of us. As I speak to this particular section that's now before us that you're asking me to comment on, like my colleague from Welland-Thorold, I'm extrapolating that to the extent that I can't speak about that section in isolation. So I am still speaking to that section, Mr Chair.

The First Deputy Chair: I will advise you if you don't; I will bring you back to order.

Mr Christopherson: The detailed information on that section I believe is contained in this document called the clause-by-clause—

Mr Bud Wildman (Algoma): Where?

Mr Christopherson: Well, where? Who knows? It got here 20 minutes ago, just before the debate began.

My point is that it's absolutely impossible, without benefit of public input—what does business think about this particular section? I want to know what they think so I can consider that in evaluating my position. What does the labour movement think? All those things were denied because there are no public hearings.

This section in front of us is one of the key sections that denies unions democratic rights they've had for decades. Section after section, piece by piece, the government is taking away the rights that workers have had for decades, and it has not allowed any public input—none.

They give us the information, the members of this House, who have certain rights and privileges—this is not supposed to be a dictatorship; it's supposed to be a democracy. In order to participate, we need the specific information in front of us, Mr Chair. You're going to find, sir, with great respect, that with regard to this section and every other section, I and my colleagues on this side of the House will continue to make the point that democracy cannot take place without information.

We're being denied information about this particular section, about every other section.

1630

Look at this: 649 pages of analysis. Part of this is about the section in front of us, and it was given to us 20 minutes ago. How can a Tory or a Liberal or a New Democrat or someone non-aligned, a reasonable person, believe that this is any kind of democracy? This is not a simple bill, this is not just housekeeping.

This particular section is a part of fundamentally changing the way that labour relations existed in this province for decades, as well as the rights that workers have had, not just for their own benefit but for the benefit of employers and the economy and communities. This section, more than most, plays a critical role in denying workers those rights, and the government knows that. That is why, on this section and every other section, they don't want to take it out to the public: because the public—employers, labour groups, others who use the Labour Relations Act—can point out why this is ideology only and not good governance.

This particular section ensures that workers' rights are watered down in this province. The minister can speak all she wants about fairness, but we know that the word "fair" was even taken out of the purpose clause as it relates directly to this section, because fairness is what used to be here before this section amended it.

Now we know without any doubt that the agenda of the Tory government, with this kind of amendment, is meant to deny workers their rights, Mr Chair. You will hear that from all my colleagues this afternoon as we point out that this is not just a fight about this section and whether it's right or wrong; this is a fight about democracy and the right of the opposition and the right of the people to comment on this section, not just us, recognizing that even our comments on this section are not as specific as they should be because the government waited till the last second to give us the analysis.

Mr Chair, believe me, for whatever little time is left for us to comment, you will hear over and over—and I would ask you to consider using your authority to bring this farce, this insult against the people of Ontario to a halt and at the very least allow us adequate input. You've still got your majority, you could still make the law, but give people a chance to comment on this section and every other, because we're being denied that. The people of Ontario are being muzzled.

Hon Mrs Witmer: I find it very interesting. I sat across, in the place of the member who just spoke, for almost five years. I will tell you that once I received a bill as the critic for Labour, I always believed that I personally had a responsibility, because I can assure you that the NDP certainly didn't go out and say to me, "This is what this means," or "This is what that means." I went out and, with my staff, I sought the best advice possible, whether it was from anybody—

The First Deputy Chair: Minister, please talk to the amendment.

Hon Mrs Witmer: —employers or employees, on this amendment or on any other amendment.

I would certainly indicate to you that this act was introduced 26 days ago. We are dealing here with a provision which, as you well know, actually promotes and enhances the rights of the individual workers. I don't know why you are so afraid to give workers the opportunity for a secret ballot vote. What better way is there to demonstrate support for a union than allowing all of the individuals in a workplace to vote by ballot? What are you so afraid of? I don't know.

Mr Duncan: It's really saddening, and I think the government members should take notice, because on subsection (3.1) I asked the question I did because it's apparent that in this section, as in others, there are mistakes in the legislation. There have already been 63 amendments brought forward.

I would suggest to the minister and to her colleagues on the other side of the House that it won't be long before your supporters in the business community are pointing out flaws in this legislation. I would suggest on this clause, and on others, that you will have to open it all again and that your haste to close debate on this is very ironic in light of what the minister just said respecting this clause and respecting the rights of workers to democratic freedoms and secret ballots.

What about the right of management people and working people throughout this province to have an opportunity to look at this? I can tell the minister that earlier today I submitted the bill and the proposed amendments to the bill—

The First Deputy Chair: Please speak to the amendment.

Mr Duncan: —including, Mr Chair, this particular amendment, to a group of management-side labour lawyers. They all expressed to me their concerns that the government may be creating a statute that will not serve the process of labour relations in this province very well. So I would suggest to those of you on the other side who are accepting or allowing yourselves to just have this thrown at you—and we're saddened by it, this amendment in particular, because we can't have real, meaningful discussion.

I'm saddened by it as a new member. I wasn't here when the other members were having their fights over past bills, but when I came here I believed that we would have an opportunity to discuss these amendments, particularly this amendment, which is obviously so important. I'm saddened and I'm sure the people watching this today are saddened. I think they're saddened.

The problem, Minister, is that you're creating a statute that you're going to have to reopen again. This particular subsection—when I asked you the question about section 8 in the new versus section 8 in the old act, it was apparent that even the government doesn't fully understand everything that's being written into this. I'm given to understand that your officials were up all night drafting this. I recall that when you rush these kinds of things, especially a statute that is so important, and this section, which is so important to working people—and there are others that are important to management.

I would suggest that what we need here is an openness and a willingness to discuss these issues in a more

appropriate forum with more debate. You will find, Minister, and your colleagues will find that you have a seriously flawed bill, and that's unfortunate, because we will have to open the Labour Relations Act again. I can assure you, when we open it again we'll have the same discussions on this and the other kinds of regressive steps you've taken on this bill and on all the bills that are contained in Bill 7.

Hon Mrs Witmer: Speaking to the amendment, and I suspect that perhaps the member opposite is not quite sure what it is that he specifically is concerned about, let me tell you, this is an amendment which establishes that applications for certification that were filed before October 5, 1995, will be decided under the old Labour Relations Act provisions. This amendment ensures that those people who did not have any knowledge of the provision are not covered under it. In this respect, this probably does favour unions.

1640

Ms Marilyn Churley (Riverdale): In speaking to this section, after just listening to the minister, I think I have a disagreement with her position on this, but of course she has had more time to read and study some of the amendments that she's making. But I doubt very much, given the size of the one document we have over here, that even she knows what the content of this bill is today, which I find very scary, the fact that we have a bill that has such a huge impact on people.

It's my understanding of this section that we're talking about that it's going to affect workers in a retroactive way. I am speaking to this section and I'm speaking to all of the sections that I've had the opportunity to have a look at here, which isn't very much.

I'm going to say to the minister, when she said here today that we have had plenty of time and she, as in opposition, took her responsibility seriously and went away and read her material and came back prepared, let me remind her of what she said during five weeks of hearings. She said, and I'm going to quote her:

"I'd just like to register the concern of the Ontario PC Party regarding the starting date of August 4. Unfortunately, we had hoped to give people in this province sufficient time to prepare their presentations and we're looking at a startup date one week later. Certainly we're very concerned about the short time that groups and individuals are going to have for making their presentations."

My point here is quite relevant to this section and quite relevant to this entire bill. My point is, if you look at what the minister said in opposition, that we members, let alone the public out there, haven't had a proper opportunity to study this bill and the amendments that were being worked on last night.

This bill, and this section that we're talking about here, has huge implications on the hundreds of thousands of working people who are affected by this bill. Not only do they not have the opportunity to speak on these amendments that are being presented in this House today, not only do the workers not have the opportunity to speak on this amendment that I'm speaking to now, but the critic

in this House got some amendments a couple of minutes ago. Is that fair? What kind of bill are we going to have here? The minister doesn't even know herself.

I agree with the Liberal critic on this. She is going to be back here hanging her head in shame at some point because there are going to be so many problems associated with this bill and the quickness with which it's done. This is not democracy. This truly is dictatorship. I will say to the minister and I will say to the new members who may find this amusing: No matter what your position is on this bill, I can assure you this has never happened before in this House. You are going to have to answer to people on this no matter what you think about the bill. The reality is, you are muzzling people out there and you are muzzling people in this House. It's never happened before.

Minister, I will say to you that you are going to pay for that. You are going to pay for that—the first time in the history of this province such a thing, such a monumental bill, has ever happened, and you, Minister, truly should be ashamed of yourself. What the hell are you afraid of? I ask you, what the hell are you afraid of? Why isn't this bill going out to the people? Why do people out there not have an opportunity to tell you what they think of this section?

The First Deputy Chair: Order. The member for Riverdale, please take your seat. I would just like to remind you that your language is a bit irritating and abrasive and I would ask you to refrain from using that type of language.

Ms Churley: In wrapping up here, because I know some of my other colleagues would like to comment on this particular clause, I would say that I am truly shaken to my shoes by what's happening here, because it goes beyond the grain of what democracy in this province, and indeed in this country, is all about.

I sincerely ask the minister right now, this moment, to reconsider pushing this bill through. You know you're going to win at the end of the day. After all, you are the government. So I would ask her—

The First Deputy Chair: Debate section 3.

Ms Churley: I would ask the minister to—

The First Deputy Chair: Debate section 3, amendment 3.1.

Ms Churley: I would ask the minister to give the people out there an opportunity to come forward and tell her and her government the effect this particular clause will have on their lives, in their working lives.

Mr Christopherson: Let the people speak.

Ms Churley: So I would ask the minister to let the people speak, as the critic next to me has said many times.

Hon Mrs Witmer: I can understand how the member opposite feels. It certainly had been our wish, certainly my wish, that we would have had an opportunity to take the legislation to the committee, that we would have had an opportunity for public hearings. However, you know as well as I do that unfortunately your party did not give us the opportunity to set up committees and take the bill out.

What we have done instead is we have tried to consult with as many people as possible, both from the union side and from the employer side, in order to get the feedback that was necessary. As a result of the feedback we received, we have before you today the amendments which we believe will make the bill better.

The First Deputy Chair: Any further comments on section 3?

Mr Bisson: It is with great pleasure that I finally have an opportunity in this House to speak on section 3 directly, and section 3, Mr Chair, if you will allow me, I think demonstrates far well the undemocratic process that this government is undertaking not only here in section 3—

The First Deputy Chair: No, no.

Mr Bisson: Mr Chair, listen. I'm going to read specifically—

The First Deputy Chair: I want you to debate on section 3.

Mr Bisson: Mr Chair, specific to section 3—

The First Deputy Chair: If you don't, I will interrupt you.

Mr Bisson: Specifically to section 3, section 3 of the bill, subsection (3), talks about that section 3 creates an exception which allows first-contract arbitration that is going at the time of the enactment to continue in accordance with the old act where the two parties agree.

In other words, if the employer says, "You went out and you had an organizing drive during the time of the old Bill 40 and you have applied for first-contract arbitration," you will not be entitled, even though you organized in good faith and you've done so under the old act—if both parties don't agree, the workers' rights are taken away and the employer's rights are maintained. Does that sound democratic? I ask people in this House, is that democratic?

Interjections: No.

Mr Bisson: Well, this is Tory policy. This has nothing to do with democracy.

Further on to section 3, subsection (4)—this is very interesting and I'd like to read. Subsection (4), according to the—we have to share our comments on the enactment in regard to the amendments the minister has brought forward because our caucus was only given one copy. What a farce.

Interjection: Half an hour ago.

Mr Bisson: A half-hour ago, one set of copies for 17 members on this side, one set of copies for the 30-some-odd Liberal members on my right, don't have an opportunity to be able to comment. Now, specifically on section—

Mr Steve Gilchrist (Scarborough East): On a point of order, Mr Chair: I think we need to clarify for the purposes of those who aren't privileged enough to be sitting in this chamber and are watching on TV. I think it's important to clarify that the prop that keeps being thrown on the desks on the other side is in fact a duplicate of the bill which was published on October 4, and

there is nothing new, and that all the amendments pursuant to the democratic vote in this House which passed the time allocation motion which speaks to a two-hour notice period, all of the amendments, which are really in this document here, were circulated on Friday, with the final draft presented before 2 o'clock today.

1650

The Chair (Mr Bert Johnson): New point of order.

Mr Wildman: On the point of order, Mr Chair: The member opposite has argued that the blue-covered document—

The Chair: I don't want to hear what the other member said. I want to know your point of order.

Mr Wildman: I'm speaking to his point of order.

The Chair: I want to know your point of order.

Mr Wildman: My point of order deals with what he had to say. Mr Chair, you have a responsibility to protect the rights of the minority in this House.

The Chair: My ruling is that he does not have a point of order.

Mr Wildman: You heard him out, Mr Chair. I have a different point of order, then.

The Chair: Your point of order, please.

Mr Wildman: It has been alleged that the amendments were provided to the opposition on Friday and that we had the opportunity over the weekend to study those amendments to be prepared for this debate. That does not deal with the fact that the amendments were also added to today. Some of the amendments that were submitted today—this morning—changed the amendments that were provided to the opposition on Friday, and for any member to allege that there was lots of time is to not be factual.

The blue-covered document that has been referred to by members in this House was provided to members, to critics on this side of the House just prior to the beginning of the debate. It is over 600 pages. To suggest that we had lots of time to read it and to understand it to prepare for this debate is not to be factual. To suggest that that document is exactly the same as the bill is also to engage in sophistry. In fact, it is an analysis, a clause-by-clause analysis of what is in the bill. It analyses what is in the bill, what does each clause mean, what does it do. To suggest, to understand that to read what it means is not to add to the bill is, again, to engage in sophistry.

Mr Chair, it is your responsibility—and I know you take it very seriously—to protect the rights of the minority in this House. The government benches are supported by a majority and they have the responsibility to carry forward their agenda and to pass legislation, but it is the responsibility of the person occupying the chair to ensure that members of the opposition have the opportunity to do what they're supposed to do.

I know members across the way are laughing. I wonder if any of them understand any history, have read anything that great Conservative leaders of the opposition have had to say about the rights of the minority—people like John Diefenbaker, for instance, who stood for the rights of the minority in Parliament for years. He did not accept the

kind of mirth that is coming from that side when the rights of the minority were trampled on.

Mr Chair, it is your responsibility to ensure that the public understands that the rights of the majority are being used to trample the minority in this House and to stifle democratic debate.

Mr Bisson: Section 3 I think speaks directly to the heart of what this government is all about. This government is a revolutionary government that believes that it will rule by consensus only after it has done something, because it doesn't believe that there's a process called democracy by which people within our citizenry of Ontario have an opportunity to speak out.

Specifically to section 3, let's go through it clause by clause according to section 3. The first part: What this clause is dealing with is that it's saying, "This section applies with respect to proceedings commenced under the old act"—that's Bill 40 for those people watching—"in which a final decision has not been issued...." That means to say that if you were out there engaging in any kind of labour activity under Bill 40—let's say, April 1995—and an occurrence happened where you and the employer had a difficulty where you brought your issue to the board, this part of the section says that you will have to forget about hearing this under Bill 40. Even though all of this happened while Bill 40 was in place, you're going to have to hear it under this new act. So you're retroactively—

Mr Stockwell: Did you hear about Bill 4? Remember Bill 4? That was retroactive.

Mr Bisson: Read section 3, exactly what it's saying. What they're doing under section 3 is that they're saying, if you're out there—

The Chair: I'd remind the member that we're on the amendment to section 3.

Mr Bisson: I am working on amendments to section 3 and I'm allowed to speak to section 3, and that is exactly what I am doing, the point being that what they're doing here in section 3 is they're saying that if you were out there and you had a difficulty where you had to go before the labour board or any other body that has authority under the Ministry of Labour and that activity happened prior to this bill being put in place, you would be dealt with as under the new act. That's the same as saying that the officer who stops you on the highway and charges you with an offence says, "I will charge you differently than what the law intends and what the law says now." You're driving down the road in June 1995, you get stopped by an officer and he says, "You were doing 85 in an 80-kilometre zone" and gives you a ticket. After that, come the new act, the speed limit has been increased, and he retroactively sends you a higher speeding ticket.

That's in effect what these guys are doing. Does that sound like democracy? I say no, not at all. It has nothing to do with democracy. It has to do with retroactively taking away the rights of working people in this province, because they don't believe that working people should have rights in this province.

Let's move on to subsection 3(2) of the act. The other thing it does is that if you are lucky enough to have been

able to put together your case before the Ontario Labour Relations Board or any other body under the guise of the Ministry of Labour, the board, after the enactment of this act, will be able to discharge your hearing and not have to hear it, even though you had a legal right to be before that board or that body, because the occurrence happened under Bill 40.

They're saying: "Never mind that you followed the democratic process as set out in the Legislature of this province, as voted on by the majority of the people in this House and as commented on by people who came before a standing committee of the Legislative Assembly for five weeks when we had this bill out on the road, and prior to that on the discussion paper we had. If you are out there and you have a case before the labour relations board, forget it." They will have the right to say, and I want to read specifically what it says—

Interjections.

Mr Bisson: Listen, they're howling on the other side because they bloody well know we're right here. You're retroactively taking the rights away. It says specifically:

"(4) The presiding person or body shall terminate all or any part of a proceeding if continuing it would serve no practical purpose in his, her or its opinion."

The difficulty with that is that it gives a heck of a lot of power to one individual at the board. If I'm the Minister of Labour, for example, and I decide I want to appoint an anti-labour person to hear a hearing—and that's what the minister is going to do, of course—that person is supposed to be an official of the Ministry of Labour listening to the democratic rights as put before it by the labour movement or the person representing that individual, and in his or her opinion they don't have to hear the hearing.

How is that democracy? Is that democracy? No. That is about taking away—you can shake your heads all you want over there on the back bench, but that's the truth. The truth is that you're taking away the democratic rights of individuals in this province in the guise of the majority of this House. You have a lot of nerve.

Let's go on to talk about section 3 and whatever travesties of democracy we have seen under section 3. Subsection (5) says:

"Without limiting the generality of subsection (4), that part of a proceeding relating to section 11.1, subsection 41(1.2), section 64.1, 73.1"—the list goes on and on—"a provision of a collective agreement described in subsection 43.1(1)"—for those people listening, that's first-contract legislation—"or an agreement described in subsection 73.2(16) of the old act shall be terminated."

That means you were out there, you were organizing under Bill 40. First-contract legislation was a right brought in, not under Bill 40—and that's our argument about this bill—but way before Bill 40. First-contract legislation was passed under the government of Mr David Peterson, and the majority of this House, in a minority Parliament, said, "Working people of this province, should they decide to democratically associate themselves into a union, have the right, if the employer is trying to stymie the process, to negotiate a first collective agree-

ment, to apply to the Ministry of Labour for first-contract arbitration."

That has been a right that working people in this province have enjoyed for almost 10 years, that had been put in place by a Liberal government in a minority Parliament, was supported by the members of this party, the NDP; was then supported when we were government for five years. This government has the gall to say: "We won an election. We have the right to do what we want. Be off with you." Like Marie Antoinette: "Off with their heads." You're saying the heck with working people.

Laugh all you want. It's the truth. The truth is that you're saying that these people, who have exercised their democratic right to associate themselves—because you forget, the tenet of this society is that people have the right to associate together and speak out against their government if they so choose. You're saying, according to section 3 of the act, that those workers who have decided to associate themselves into a union by a democratic process, as established under the act, and unfortunately are unable to get to a first-contract settlement with their employer because their employer is being hostile lose the right to first-contract arbitration. What kind of right is that? You're taking away the democratic rights of individuals.

1700

Onwards into section 3—

Mr Kormos: They don't give a damn about the workers, Gilles.

Mr Bisson: They don't; that's the point. It's bad enough that they don't give a damn about working people in this province—and you can laugh and smirk all you want. At the end of the day, the people of this province will remember that you're taking the democratic right of not just working people; you're taking away democratic rights of a majority of people within this province. You have a lot of nerve, like the Minister of Labour, to sit in this House with your smiles like the cat who sat there and watched the mouse come by, and to swallow it all in one gulp, to sit there and smile at the members of this opposition and of the Liberal Party. You have a lot of nerve.

Now, subsection 3(5)—

Interjections.

Mr Bisson: All on topic. I look at it again. If we take a look at the narrative that's supplied to us—we've got 30 minutes we've had the opportunity to look at this. But I've had an opportunity, in listening to the debate, to look at only one section. Your own application of section 3 is most interesting, because it says that subsection 3(5) terminates any part of an ongoing proceeding related to the old section of the old act.

Here are some of the things that you're repealing. I spoke about unilateral access to first-agreement arbitration, gone. Is that democratic? No, very undemocratic. Deem that the just cause protection of collective agreement be gone. The just cause: We can get into a whole debate, but that's a tenet of what this democracy is all about. Because other members want to speak, I'll jump

over that. Successor rights are gone. That means to say that the government can privatize everything it wants under the sun and that—

Hon Mrs Witmer: He is not speaking to the motion.

Mr Bisson: I am speaking directly, Madam Minister, if you would know your own legislation, directly to section 3. Why don't you read it? Directly. This is your book. Take a look. Section 3, Madam Minister. You have a lot of nerve trying to tell me I'm not on topic and I don't know what the hell I'm talking about. Section 3, here it is.

The Chair: Would the member for Cochrane South come to order.

Mr Bisson: I am right to order.

The Chair: Would the member for Cochrane South come to order.

Mr Bisson: I am at order.

The Chair: No. This House will not tolerate profanity.

Mr Bisson: "Hell" is not profanity.

The Chair: You might continue.

Mr Bisson: I will withdraw, because I want to be here to vote against these sections of the act.

The minister has the gall to sit there and say, "No, that doesn't do that." Yes, Madam Minister, it does. It's right in your own amendments. It's right in the narrative that explains what this bill is about. This is the problem with the whole process: We have an opportunity here in this House in a two-hour period to take a look at what amounts to almost 600 pages of information in regard to the act, which was just given to us recently to supplement the small copy of amendments that were brought to us last Friday, and we're being asked in this House, as the rest of the people in this province, to comment and give this bill—I tell you, it is hard to contain oneself for the contempt that these people have for democracy.

Successor rights, under subsection 3(5), gone. Is that democratic?

Mr Stockwell: Yes.

Mr Bisson: The member for Etobicoke West, who is not even in his seat—hello, Mr Chair, that's you. He's not in his seat. Would you pay attention? This guy's not in his seat. He says this is democratic. People who have freely associated into a trade union movement who have decided to organize themselves within the public sector under a union are losing their successor rights when this gang of thugs decides to privatize the entire private civil service of this province. That's not democratic. You're thugs. That's exactly what you are.

The Chair: Would the member for Cochrane South—

Mr Bisson: Oh, look who just woke up. Under subsection 3(5)—

The Chair: Would the member for Cochrane South take his seat.

Mr Stockwell: On a point of order, Mr Chair: I would ask you to address the member from Cochrane that he withdraw the comment that the members across this aisle are thugs. I find it totally, absolutely unparliamentary.

The Chair: I'd like to do that. I'll ask the member for Cochrane South to withdraw the—

Mr Bisson: Okay, Mr Speaker, I will not call them thugs in this chamber. Maybe I'll do it outside.

Under subsection 3(5) they're removing section 73.1 of the old act. Guess what they're taking? Scabs will be the norm in this province. Isn't that wonderful? Isn't that a nice, democratic right? Put all the power in the hands of the employer and say to the employees: "You have no rights. You have no protection. The heck with you." That's some of the stuff they're just doing in section 3.

Moving along, here's what really is disturbing, and it speaks to what the members here have been talking about in terms of democracy within this House. These are the last two points I will make.

Under subsection (5) we're prohibiting the discharge without cause prior to the first collective agreement. In other words, if the employer discharges somebody in the process of an organizing drive and that person is fired without just cause, the employer will have full right to do so.

What happened to just cause? The tenet of law, the basis of the law of this country and of this province, is that people have to be treated fairly and you have to have just cause when moving against them and trying to take away their rights. "Fairly" has been taken out of the purpose clause of the act, and we're saying that under subsection 3(5), by the repeal of section 81.2 of this bill, the employer will have the right, by inference, to discharge an employee during the process of organizing without due consideration to just cause.

Is that democratic? I say no. That's what this is. These are a gang of revolutionists. They're revolutionists. They're saying, "We're going to go out and do what we want because we have the power to do so, and then we will try to build a consensus afterwards to show just how smart and how great we are." If you wonder why the members of this opposition and the members of the Liberal Party are upset, we have every bloody right to be upset, because never in the history of this Legislature has an opposition party or parties been subjected to this kind of act against democracy.

In the very last part under subsection (5), they're repealing section 92.2 of the act, taking away the ability to expedite hearings for complaints against illegal discharge. Under Bill 40, if a worker, under his or her own volition, decide they want to organize into a union and become part of a union organizing drive within the plant, prior to Bill 40 the employer was able to fire that person and the employee had an opportunity to come back under the old act to represent themselves in terms of the discharge that was wrongly done by the employer. It took a long time, but the employee had some kind of provision under the act. We've lost just cause, and now you're saying we're not going to do it as an expeditious process as under Bill 40.

I will only say at this point, because other members want to speak—and I apologize to other members in this House; I've taken a good 10 minutes—you guys are running a steamroller over the democracy of this prov-

ince. You should be ashamed. This whole process is a farce. This minister calls herself the Minister of Labour? I call her the minister of terror from hell.

Mr Duncan: On a point of order, Mr Chair: It's a little difficult to know precisely what amendments we are dealing with, and I'll give the minister an example. Section 76: We've now been provided with three separate sets of amendments on section 76. The one that's included—

The Chair: I'm not interested in 76; I'm interested in section 3.

Mr Duncan: The point comes back to section 3, Mr Chair. For instance, in this document, if the minister will turn to page 175—and I thought this was the most recent document—she'll note that subsection 76(1)6 is not included in here, as it is in the amendment that was sent to our office at 2 o'clock today.

I wonder, has anybody on the government side even read these amendments? This is the most blatant example.

I'm concerned about subsection (3.1) because the minister still hasn't answered my question.

1710

Section 76, on the copy that was sent at 2 o'clock, has a subsection 6. In the clause-by-clause, that's not there. I'm just curious as to which amendments are we dealing with. Has anybody in the government read them? I hope folks are listening, because I think the minister's been busy getting ready to fire the WCB board tomorrow. That's the other thing we've heard. Maybe we could talk about that. Mr Gilchrist raised the story about this.

But I'd like to know, has anybody on the government side even read this? I'm just concerned. Subsection (3.1), section 76, obviously—

The Chair: Order. The member for Windsor-Walkerville will please take his seat.

Interjection.

The Chair: I can't get him to sit down. I will name the member for Windsor-Walkerville.

Hon Mrs Witmer: I would just like to draw to your attention that this is the original bill which you have received. You've also received a package of amendments which amend the bill.

As we sit here today—and you've indicated that additional motions have been brought to your attention—I want to point out that most of the motions you were given today respond to concerns that were raised by labour; for example, the timing of strike votes, the issue of exempting the construction industry from ratification and strike votes, adding the protection in the case of certification regarding employers, and also clarifying the time as to the mandatory certification.

We have had an opportunity, we have worked very hard to make sure we have responded to the concerns of individuals, and I don't apologize. At least we have done our work, we have consulted and we have brought the amendments forward.

Mr Kormos: Mr Chair, on a point of order: I just got three phone calls from folks down in Welland-Thorold

who've been watching this on television, and I want to tell you something: They're aghast. They want to know how the Minister of Labour can stand and lie like she has all afternoon about having listened to working people, about having listened to labour. These are the questions they're asking me. I wonder if the minister would like to explain to them how it is that she can stand here and lie all afternoon.

The Chair: I would ask the member for Welland-Thorold to reconsider. I would ask the member for Welland-Thorold to withdraw those remarks.

Mr Kormos: It's not something I said; it's something three phone callers have asked me. I'm not telling you she's lying. I'm telling you that three of my constituents have called and wanted to know why she's standing there lying all afternoon about her commitment to labour, so-called, and about having listened to labour when they insist that it's not true.

The Chair: I will not accept indirectly what I will not accept directly. I would ask the member for Welland-Thorold to withdraw.

Mr Kormos: Not having called the Minister of Labour a liar but having recounted to you that three of my constituents are asking why she's lying, I expect her to answer that. She can say she isn't or she can explain why in fact she is.

The Chair: No. I would ask the member for Welland-Thorold to reconsider.

Mr Kormos: I've reconsidered. I've been considering it ever since I got those phone calls, because those constituents of mine make a point, a very strong point. She stands here without permitting public hearings, she stands here misleading any number of people about when they got these amendments, and I think my constituents deserve an answer.

The Chair: I'd like to remind the—

Mr Kormos: If I'm not entitled to be a conduit, a voice to articulate the concerns of my constituents, then what is there left in this place?

The Chair: I'd like to remind the member for Welland-Thorold to temper his remarks. I'll ask him to withdraw that. I'll have to warn you.

Mr Kormos: I'll temper my remarks, and I withdraw that.

Hon Mrs Witmer: I'd just like to respond to the member opposite. I had indicated that we had engaged in consultation. I notice that in the gallery today is Mr Moffatt from the Toronto-Central Ontario division of the Building and Construction Trades Council, and I think he would quite acknowledge the fact that we have had consultation not only with him but with most of the construction trades and unions.

Mr Len Wood (Cochrane North): I'm interested to see what other labour leaders the Minister of Labour has consulted.

The Chair: Are we on the amendment?

Mr Len Wood: Yes. The phones are ringing off the hook. People are concerned about the way this legislation

is being railroaded through. There's been no consultation with labour; there's been no consultation, other than some special-interest groups in this province.

Bill 40 was a job saver. Bill 40 created labour peace in this province. People do not want to see Bill 40 destroyed and the use of scabs and strikebreakers on the job when there are legal strikes. They're very upset throughout this province because this bill is being rammed through this House, no consultation with anybody whatsoever.

The Minister of Labour cannot tell us who else from labour she's consulted. I don't believe she's consulted with anybody else. She tells us the amendments were brought in on Friday. The Labour critic is saying he only received the amendments at 2 o'clock this afternoon, a binder with 650-some pages. How do you expect people to absorb all this information in the Legislature?

The listening public out there is very angry with what this 82-member Conservative government is doing to labour in this province. They're very upset and they're going to speak out. There are going to be labour problems in the workplace all over the province.

When Mike Harris said there were going to be thousands of jobs lost in 1992, the facts were that there were 178,000 jobs created under Bill 40. It was good labour legislation—

The Chair: I would like to remind the member for Cochrane North that we're on amendment.

Mr Len Wood: —it worked and it's working now. Why do we want to bring in Bill 7 that is going to destroy labour peace in this province? It's unfair to the people of this province.

They campaigned for five weeks and said, "We have a mandate to do whatever we want." They do not have a mandate to bring in strikebreaker and scab legislation that was outlawed for the last number of years. It's very unfair to the people in this province.

People are going to take action. I know the OFL convention is coming up in about 10 days' time. They're very upset with the way this Conservative government is just ramming this legislation through. There have been no public hearings whatsoever.

When Bill 40 was brought in, there was travel around the province. We had all kinds of consultation. People brought in all kinds of amendments. The labour legislation was working; it was working well. Just because Mike Harris goes out and makes a promise during a campaign that he's going to scrap Bill 40, he did not have the right to turn legislation back 30 or 40 years, and this is what has happened.

In Cochrane North we know that people have died because of legislation that they're bringing in now. There's been violence on the picket lines, people went to the guns and they died. There are monuments up in Cochrane North to prove it. Your legislation is going to permanently injure people, cripple them on the job, and people are going to die. It's happened in the past and it's going to happen again.

They don't care. The Minister of Labour sits there and laughs. When we talk about people dying and being

crippled and injured on the job, she's laughing about it; she's laughing, as are the backbenchers in the Conservative caucus. All they're interested in is making their special-interest groups in the business community rich. That's all they're interested in.

They couldn't care less about democracy in this province, giving the ordinary workers the right to have labour peace, and labour peace between management and union. It's worked. The strikes in this province have been drastically reduced since 1975. There's been labour peace. Now we have a new government and they're going to cause nothing but turmoil throughout every workplace in Ontario. It's going to be drastic. The women, the people who have special needs, they all want to be protected. They want to be able to go to work, and, if there is a labour dispute, they do not want to be faced with violence on the picket lines when there are scabs and strikebreakers. Some call them "blisters."

1720

It's very unfair, what this Conservative government is doing. They say they have a mandate, they went out for five weeks and talked about it. They didn't tell the truth to the people. They said there were going to be jobs lost. As I said before, over 178,000 jobs were created throughout this province. In the pulp and paper industry, we had close to \$1 billion that was invested in the province of Ontario last year. There will be another \$800 million invested in 1995.

People were not fearful, business was not fearful about investing in the province of Ontario. They invested with the labour legislation that was there. It was good legislation; it was fair. It was fair to the employers, it was fair to the workers and it caused labour peace within the province of Ontario—the best labour legislation there ever was in North America.

Now, because they have a few business people who were elected in a majority Conservative government in Ontario, they're going to destroy that. They're going to tear that down. They're happy when they see violence on the picket lines. I see them laughing and smiling about it over on the other side. We have the experience throughout northern Ontario, where there's been—

Mr Wildman: This guy knows what he is talking about. He has been on those lines and he has been dealing with this violence.

Mr Len Wood: It's sad. As I said, the phones are ringing off the hook. I've talked to some of my other colleagues. People are phoning in and they're saying: "Do whatever you can to stop this government from bringing in legislation that is going to hurt the workers in this province. If they don't care about the workers in this province, it's up to the NDP caucus and whatever there is in the Liberal caucus to stand up and fight for what's right and fair in the workplace."

Mr Bob Rae (York South): On a point of order, Mr Chair: As a point of information to the House, members may not have heard that Premier Parizeau announced about 15 minutes ago that he's resigning.

Interjections.

The Chair: The member for Prescott and Russell.

Mr Lalonde: I hate to criticize something that I haven't read. This document, amendment to (3.1), at the present time none of us has received it. I really believe there were 130 members on June 8, and we were elected to make a decision and also to represent Ontarians.

Really, the Common Sense Revolution said it: We have to reduce the bureaucrats. But at this moment I think the bureaucrats are telling us what we should do, without us taking a look at this document. I really feel that probably we should consider adjourning this House today to give us a chance to read all the amendments.

Hon Mrs Witmer: I would just remind all of the members opposite, your critic does have a responsibility to share with you copies of the amendments. Obviously, when they were received on Friday that should have been done.

Mr Sergio: With all due respect, it is one thing not to provide the complete documents or any of the amendments, but it's even more ridiculous that the members on the other side, the government side, who have the full responsibility of approving the final bill in its entirety at the end, even they have not seen the content of those amendments. Where is the responsibility of the government?

By speaking on (3.1), it's addressing the entire bill itself, because every part has not been fully debated, properly presented to the House. I wonder how the government has the courage to present to the people and say, "This is what we have done," when democracy has not been working in this House.

I'm appalled, without sounding perhaps too harsh on the other side, but when they speak of democracy, democracy is in action when the governing majority gives the minority an opportunity to be heard, and this is not being provided in this particular House.

So (3.1) or (4.1), it is the same thing when at the end the government is going to approve the bill and there's not given the opportunity to debate even one single amendment, as they have not been provided to any members of the House.

In answer to the minister that the critic's supposed to inform the members, how can we have been informed when our own critic has received the amendments to the amendments only a couple of hours ago? I think it is incumbent on the government to give us enough time so even the people out there can say the government has seen the light, has given way to reason and said, "Yes, we cannot ram this down the throats of the opposition or the people out there."

I believe, Mr Chairman, if you were to consult the people out there, they are not aware of what this government is proposing here today. It is totally contrary to what they were promising their own people—their own people, who elect the members on the other side. This is contrary to what they were promising during the election to their own people. Let me tell you, if they were to propose to their own members today exactly what they are proposing here in this House, they wouldn't be sitting on the other side today.

I'm asking the other side to reconsider what our side is saying here, as we had a number of proposals which would have improved the deal instead of ramming it through. We have said all along, "Fine, you're going to approve it, but there are a number of amendments which make sense," and I think we should be listened to instead of ramming it down our throats. I really do hope that we are given the opportunity to assess every amendment as it is being proposed and that at the final end the government will consider that.

Mr Ted Arnott (Wellington): I listened to the comments from the opposition and they've outlined concerns that they have with this bill, but they haven't mentioned another important aspect of the bill that I'd like to hear more about, and that's the provisions relating to workplace democracy. I wonder if the minister would care to elaborate on that issue.

Hon Mrs Witmer: I would also just like to respond to the member from the Liberal Party who just spoke. We did have set aside today two hours, which would have given us an opportunity to do clause-by-clause. Unfortunately, because of the rhetoric, we are still only dealing with the very first amendment. We have 62 others to deal with, and it's unfortunate that we couldn't have had some more discussion and debate rather than the conversation that has been ongoing.

We have before us here an amendment that does deal with the workplace democracy measures. As we had indicated prior to the election, one of our concerns was with the fact that workers in the workplace did not have the right to make a choice freely and democratically whether or not to join a union, and so—

Mr Bisson: On a point of order, Mr Chair: She is not speaking to section 3 of the act. Section 3 does not deal with what she's talking about.

Ms Shelley Martel (Sudbury East): Mr Chair—

Mr Sergio: Mr Chair, on the same point—

The Chair: I think we should give the minister a chance to get through before you vote on it.

Mr Bisson: On a point of order, Mr Chair: The responsibility of the Speaker or the Chair of the committee in the House is to protect the rights of all members in this House. She is not speaking to section 3, and you cannot pick and choose, as the Chair of the committee of the whole, to decide what you will or will not hear. You have to be specific as to section 3.

The Chair: I'd like to remind all members that they speak to the amendment.

1730

Mr Sergio: Mr Chair, if I may. Point of order, Mr Chair. Hello, Mr Chair.

The Chair: I'm sorry; I need to know your right to speak.

Mr Sergio: Point of order. Thank you very much. Mr Chairman, with all due respect, we have just heard from the minister to go on clause by clause. Apparently, she's not addressing the particular clause in question at the moment. There is the voice of reason. How can we go and vote on a clause-by-clause basis when our own critic

has only had a couple of hours to sift through 300 and 600 pages of material. I think the minister has to be more responsible and say it is not enough time to give one member or the opposition side or the minority side.

To ram this through and say, "We have given it to you"—with all due respect, if a member of the other side is being called by one of their constituents who says, "What does (3.1) contain for us?" I would like to know their answer.

The Chair: I'd like to say that I came to this House going by the rules that were left by those who came before. In this ball game there are four balls and three strikes, and that is not a point of order.

The member for Sudbury East.

Ms Martel: I'd like to participate in the debate today and pick up from where some of my colleagues left off, specifically on section 3.

Hon Mrs Witmer: On a point of order, Mr Chair: I believe that I had the floor. I was responding to—

Ms Martel: Well, I was recognized.

Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs): The minister has not finished her answer.

Hon Mrs Witmer: No, I wasn't finished. I think you had allowed the member opposite to speak on a point of order.

I would just like to indicate to the member opposite who indicated that indeed I was not speaking to the amendment, I am. As you well know, section 3 does deal with certification votes, and that is one of our workplace democracy issues. That was exactly the point that I wanted to make.

We had requests from many, many employees throughout this province, while we were in opposition, to introduce exactly such an amendment as the one we have here. They wanted to be able to make the choice freely and without any coercion or any intimidation from either the union organizer or the employer, and they were asking for a secret ballot vote.

The other thing they also asked was for us to ensure that prior to certification taking place they have access to information so that they would know exactly what their rights were. We have provided not only the information that is necessary to vote secretly and make your decision, we have also provided the opportunity for a secret ballot vote which enhances the right of the workers in the workplace.

Mr Duncan: On a point of order, Mr Chair: The minister is not speaking on subsection (3.1) of the bill and the minister's understanding of the distribution of the documents related to this bill, and the amendments in particular, is very different from that of this party and that of the third party.

On the point of order, we should be discussing subsection (3.1). Subsection (3.1) in its entirety is extremely important. It deals with matters of grave concern to working people. So I would ask, Mr Chair, that you use your position as Chair and allow other members to speak

rather than to let the minister use up what little time is left, because so little was allowed, to allow members to have a say on this piece of legislation.

The Chair: I'd like to remind all members in the House that they're speaking towards amendment (3.1).

Ms Martel: I am pleased to participate in the debate and speak to subsection (3.1). I want to pick up from where the minister left off in speaking about intimidation, because I wonder, with the government moving now to permit scabs and strikebreakers to operate in the province of Ontario, if she understands what kind of intimidation that represents for working people everywhere across this province.

When the member for Cochrane North got up and told people in this House just a few short moments ago that when you allow strikebreakers and when you allow scabs on picket lines, you will have violence and you will have people getting killed, members of the Conservative Party laughed. They thought that was funny.

You ought to talk to this member, who in his own home town of Kapuskasing had three people die on a picket line in 1963, folks. That's the reality in Ontario. That's the kind of legislation you're allowing to take place in this province again. Even your own party, when it was in power during the 1970s, thought that was appalling, thought that was ridiculous, and outlawed that kind of stuff, thought it wasn't right.

That's why I was proud when this government was in place and we put forward the changes that we did to the OLRA. We said: "You aren't going to allow that kind of thing to happen. You aren't going to allow employers to come in and intimidate workers, bring people across the line, have violence, have bloodshed, have the police, have people be killed." It's wrong, and all of you ought to be ashamed that this is the kind of legislation you're bringing back into this province. Shame on all of you.

I want to say something else with respect to this process. You wonder why the members of the opposition today are so angry and so frustrated about the process. The fact is, contrary to the minister's saying, as she did here today, that "we have done our work," this whole process has been a farce. I want to remind the members who were here before—

Interjections.

Mr Garry J. Guzzo (Ottawa-Rideau): Did you, the opposition, turn down four days?

Ms Martel: —between 1990 and 1995, of the process that took place under our government when we made extensive changes to the Ontario Labour Relations Act for the first time in 15 years. For those members who are yapping away, who weren't here, you should be quiet because you might learn something about what I have to say.

When our Minister of Labour decided to make the changes that he did, we put out a draft bill and we went around the province with, first of all, a draft bill to outline to the public the kinds of changes that we wanted to make. Our Minister of Labour, when he did that, went to 11 communities across the province. He met with 195 business and employer groups, 109 labour and union

groups, 28 community organizations. That was just on the draft bill. Then we brought the bill into the House. We had extensive second reading debate. We took that bill out across the province for five solid weeks. We went to communities like London, Kingston, Ottawa, Sudbury, Thunder Bay, Toronto and Windsor. We weren't afraid to take this bill out and to have the people of the province have their say.

Why are you afraid to have working people take a look at this piece of legislation? Why are you trying to shut down this process, as you have been trying to do for the last three days in this House?

The minister herself, when she was on this side and when she was the critic, condemned the government and said during the start of the public hearings that five weeks wasn't enough, that people needed more time to have their say. That's what she got up and said when she was on this side of the House.

Why is there a change now, when she sits in government, when she's the Minister of Labour? Why is she afraid to have working people have their say? It was okay when she was over here—it was okay for business to come, it was okay for us to go around the province for five weeks, it was okay for us to go to a number of communities—but when she's the minister and when she's bringing in a most regressive piece of labour legislation, it's not okay for working people to have their say. Shame on the minister for that kind of attitude. Shame on her for treating people in that way. Shame on all of you for thinking that process is okay, because it's not.

With respect to the closure motion, and that's what's really at the heart of what's happening here today—

The Chair: I'd remind the member that we're on section 3.

Ms Martel: I'm on section 3, Chair.

I was a House leader in this place. I've been on all sides of this place as well in the last eight years, and never, ever in the history of this Legislature have we seen the kind of draconian motion that the government House leader brought in here last week. You wonder why we're angry.

At no point in time when our government brought forward legislation that was so all-encompassing, that included so many changes, as we did on a number of bills, at no time did we deny the right of the opposition to have public hearings and to travel around the province so that people could have their say. Never did we do that.

1740

I challenge all of the members, those of you who were here from 1990-95, those new members who are here now, to check the record, to go back to see what happened when we were in government, because you will see that time after time after time, when our government proposed major changes, as Bill 7 is, we allowed the people to have their say. We did that even when our legislation wasn't popular, even when our members took a lot of heat out on the road because people disagreed. We were not afraid of what people had to say. Why are all of you when it comes to this bill?

I believe the real reason the government refuses to take this bill out on the road is because despite all the whining and all the snivelling that went on when this group was over here with respect to this bill, all of the dire proposals and prophesies that they went on and on about when they were over here have not come to pass. Mike Harris again and again in this House and the member who is now the minister said time and time again when they were over here that if Bill 40 was passed, the private sector would not come into this province, that there would be no private sector investment.

Well, the facts have shown that this was completely untrue. The facts have shown that everything this group tried to say when they were sitting over here did not come to pass. In fact, we saw, in the time this bill has been in place, \$53 billion worth of new private sector investment in this province between 1993 and 1994. We have had \$8.8 billion of private sector investment in the highly unionized manufacturing sector in 1994 alone, the highest level of private sector investment in a single year in the history of this province. That's what happened under Bill 40 when we were the government.

With respect to labour peace, 97% of all collective agreements in 1993 were passed without labour confrontation, without strikes, without lockouts; 97% of all collective agreements were signed without any trouble in the workplace. Mr Chair, \$25 billion of profits from private sector companies alone in 1993-94 under this bill and under an NDP government.

Everything the Tories tried to say about the private sector coming here has proven to be not true, and they don't want to deal with that fact. That's why they don't want to take this bill out on to the road, because they know that time and time again, people will come forward and say: "Everything you had to say, all of your dire predictions, none of it was true. All you did was fear-monger." The people know that in fact there have been investments and there has been peace in labour in the province of Ontario.

As I wrap up in the last 30 seconds that I have, I want to say this government should be ashamed of itself today, because you have brought forward a piece of legislation that is completely anti-worker—

Interjections: Shame, shame, shame.

The Chair: Would the member for Sudbury take her seat.

Ms Martel: —that takes away the rights of working people that they have had in place for decades in this province. You are bringing back a section that will allow for scab—

Hon Mrs Witmer: Mr Chair, on a point of order—
Interjections.

The Chair: Would the member for Sudbury take her seat.

The time has expired. Ms Witmer has moved amendment to subsection 3(3.1). Is it the pleasure of the committee that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

That vote is deferred.

Shall section 4 stand as part of the bill?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

Deferred?

Mr Cooke: On a point of order, Mr Chair: We're going to be dividing on every section of the bill and every amendment. If the government wants to proceed, we can recognize that there will be divisions on every section and we can go through them in the proper way with the official divisions and recorded votes rather than going through them twice in the next short period of time.

The Chair: Agreed? Agreed.

An amendment to subsection 5(6). Deferred.

Amendment to section 6. Deferred?

Mr Cooke: Mr Chair, all the amendments have been tabled. All the bill's before us. If you call in the members, we can divide and deem that everything's been divided on, and we'll have the recorded vote on each section and each amendment.

The Chair: The problem is that it has to be read.

Mr Cooke: I'm sure the government House leader would agree. We're going to have a division on every section of the bill and every amendment. So if everybody agrees, then we'll deem that there's been divisions and call in the members, and let's have the recorded vote rather than doing it twice.

The Chair: Is it agreed then that we will handle it in that way and call in the members? Agreed.

Call the members in; a five-minute bell.

The division bells rang from 1747 to 1752.

The Chair: Would the members take their seats, please.

Mrs Witmer has moved an amendment to section 3 of the bill by adding the following subsection:

"(3.1) Despite subsection (2), in a proceeding relating to an application for certification of a trade union as a bargaining agent, the presiding person or body shall apply sections 5, 8, 9 and 9.1 of the old act and not sections 7, 8 and 10 of the new act. This subsection applies only with respect to applications for certification made before October 4, 1995."

All those in favour, please rise.

All those opposed, please rise.

Clerk Assistant and Clerk of Committees (Ms Deborah Deller): Mr Chair, the ayes are 69; the nays are 34.

The Chair: I declare the amendment carried.

Shall section 3, as amended, form part of the bill?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare section 3, as amended, as part of the bill.

Shall section 4, as amended, form part of the bill?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare section 4 will be part of the bill.

Mrs Witmer moves that subsection 5(6) of the bill be struck out and the following substituted:

“(6) When issuing a declaration, the board may make such orders as it considers appropriate in the circumstances, including orders relating to the collective agreement, if any.”

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that the amendment is carried.

Shall section 5, as amended, form part of the bill?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that section 5, as amended, shall form part of the bill.

Mrs Witmer moves that subsection 6(4), (5), and (6) of the bill be struck out and the following substituted:

“(4) The trade union continues to represent the employees in each of the bargaining units and, subject to subsection (8), the collective agreement, if any, continues to apply to them. There shall be deemed to be a separate collective agreement for each bargaining unit.

“(5) The trade union may apply to the Ontario Labour Relations Board for certification as the bargaining agent for each of the bargaining units if there is no collective agreement in force.

“(6) Upon receiving an application under subsection (5), the board shall certify the trade union as the bargaining agent for each of the bargaining units.

“(7) The employer or the trade union may apply to the board for such orders as the board considers appropriate in the circumstances, including orders relating to the collective agreement, if any.

“(8) The board may make such orders on an application under subsection (7) as it considers appropriate in the circumstances.”

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment carried.

Shall section 6, as amended, be part of the bill?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that section 6, as amended, be part of the bill.

Shall sections 7 and 8 stand as part of the bill?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that sections 7 and 8 be part of the bill.

1800

Mrs Witmer moves that the bill be amended by adding the following section:

“Transition, mandatory strike vote

“8.1 Subsections 78(3) and (3.1) of the new act do not apply with respect to a strike that begins before the day on which the Labour Relations Act, 1995, comes into force.”

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment, section 8.1, carried.

Shall sections 9 and 10 stand as part of the bill?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that sections 9 and 10 are part of the bill.

Mrs Witmer moves that subsection 1(1.1) of the Crown Employees Collective Bargaining Act, 1993, as set out in subsection 11(2) of the bill, be struck out and the following substituted:

“‘Crown’

“(1.1) References to the crown in this act shall be deemed to include a reference to the agencies of the crown to which the act applies.”

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment to section 11 carried.

Shall section 11, as amended, form part of the bill?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that section 11, as amended, is carried.

Mrs Witmer moves that subsection 1.1(1) of the Crown Employees Collective Bargaining Act, 1993, as set out in section 12 of the bill, be amended by striking out “and” at the end of clause (a), inserting “and” at the end of clause (b) and adding the following clause:

“(c) agencies of the crown that are not designated under clause 29.1(1)(a) of the Public Service Act that employ crown employees.”

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment to section 12 carried.

Mrs Witmer moves that subsection 1.1(2) of the Crown Employees Collective Bargaining Act, 1993, as set out in

section 12 of the bill, be struck out and the following substituted:

"Non-application

"(2) This act does not apply with respect to,

"(a) individuals who are not crown employees;

"(b) agencies of the crown that are not designated under clause 29.1(1)(a) of the Public Service Act that employ only individuals who are not crown employees."

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment to section 12 carried.

Mrs Witmer moves that paragraphs 12 and 13 of subsection 1.1(3) of the Crown Employees Collective Bargaining Act, 1993, as set out in section 12 of the bill, be struck out and the following substituted:

"12. Persons who provide advice to cabinet, a board or committee composed of ministers of the crown, a minister or a deputy minister about employment-related legislation that directly affects the terms and conditions of employment of employees in the public sector as it is defined in subsection 1(1) of the Pay Equity Act.

"12.1 Persons who provide advice to cabinet, a board or committee composed of ministers of the crown, the Minister of Finance, the Chair of Management Board of Cabinet, a deputy minister in the Ministry of Finance or the Secretary of the Management Board of Cabinet on any matter within the powers or duties of treasury board under sections 6, 7, 8 or 9 of the Treasury Board Act, 1991.

"13. Persons employed in the Ontario Financing Authority or in the Ministry of Finance who spend a significant portion of their time at work in borrowing or investing money for the province or in managing the assets and liabilities of the consolidated revenue fund, including persons employed in the authority or the ministry to provide technical, specialized or clerical services necessary to those activities."

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment to section 12 carried.

Shall section 12, as amended, form part of the bill?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that section 12, as amended, is part of the bill.

Shall sections 13 through 15 form part of the bill?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that sections 13 through 15 form part of the bill.

Mrs Witmer moves that subsection 16(3) of the bill be struck out.

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment to section 16 carried.

Shall section 16, as amended, form part of the bill?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that section 16, as amended, forms part of the bill.

Shall sections 17 and 18 form part of the bill?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that sections 17 and 18 are part of the bill.

Mrs Witmer moves that section 19 of the bill be amended by adding the following subsection:

"(1.1) Subsection 7(2) of the act is repealed and the following substituted:

"Certain subsections not to apply

"(2) Subsections 48(1) to (5) of the Labour Relations Act, 1995 do not form part of this act."

Same vote?

Senior Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment carried.

Shall section 19, as amended, form part of the act?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that section 19, as amended, forms part of the act.

Shall sections 20 through 34 form part of the act?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that sections 20 through 34 be part of the act.

Mrs Witmer moves that subsection 35(2) of the bill be struck out and the following substituted:

"(2) Subsection 24(4) of the act is repealed and the following substituted:

"Non-application

"(4) Section 65 of the Labour Relations Act, 1995 does not apply with respect to the designation of the union or the continuation of the designation."

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment carried.

Shall section 35, as amended, form part of the act?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that section 35, as amended, be part of the bill.

Shall sections 36 through 44 form part of the act?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that sections 36 through 44 are part of the act.

1810

Mrs Witmer moves that section 42 of the Crown Employees Collective Bargaining Act, 1993, as set out in section 45 of the bill, be amended by adding the following subsections:

"Same

"(2.1) The board shall consider whether sufficient time has elapsed in the dispute between the parties to permit it to determine whether meaningful collective bargaining has been prevented.

"Deferred decision

"(2.2) The board may defer making a decision on the application until such time as it considers appropriate."

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment carried.

Shall section 45, as amended, form part of the act?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that section 45, as amended, be part of the act.

Shall sections 46 through 49 form part of the act?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that sections 46 through 49 are part of the act.

Mrs Witmer moves that subsection 50 of the bill be struck out and the following substituted:

"50. Section 52 of the act is repealed and the following substituted:

"Classification issues

"52(1) A provision in an agreement entered into that provides for the determination by an arbitrator, a board of arbitration or another tribunal of any of the following matters is void:

"1. A classification system of employees, including creating a new classification system or amending an existing classification system.

"2. The classification of an employee, including changing an employee's classification.

"Same

"(2) Subsection (1) applies to agreements entered into before or after the date on which the Labour Relations

and Employment Statute Law Amendment Act, 1995 receives royal assent."

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment to section 50 carried.

Shall section 50, as amended, form part of the act?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that section 50, as amended, is part of the bill.

Shall sections 51 through 61 be part of the act?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that sections 51 through 61 be part of the act.

Mrs Witmer moves that the bill be amended by adding the following section:

"Transition, proceedings (related activities or businesses)

"61.1 An interim or final decision issued on or after October 4, 1995 and before the day on which this act receives royal assent in a proceeding relating to subsection 1(4) of the Labour Relations Act, as it applies under the old act with respect to crown employees, is void."

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that section 61.1 is carried.

Shall sections 62 through 64 be part of the act?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that sections 62 through 64 are part of the act.

Mrs Witmer moves that section 65 of the bill be amended by adding the following subsections:

"(8) Proceedings commenced under the framework collective agreement and proceedings relating to it are terminated.

"(9) An interim or final decision issued on or after October 4, 1995 in a proceeding commenced under or relating to the framework collective agreement is void."

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment to subsections 65(8) and (9) carried.

Shall section 65, as amended, form part of the act?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that section 65, as amended, is part of the act.

Mrs Witmer moves that the bill be amended by adding the following section:

"Transition, arbitration

"65.1(1) This section applies if the crown and a trade union agree in writing before this section comes into force to refer all matters remaining in dispute between them to an arbitrator or a board of arbitration for final and binding determination in relation to the making of a first collective agreement between them.

"(2) The arbitrator or board of arbitration shall not include or require the parties to include in a collective agreement,

"(a) a term that requires the employer to guarantee an offer of a job for employees whose positions have been or may be eliminated or that otherwise compels the employer to continue to employ them; or

"(b) a term that relates to pensions, staffing levels or work assignments.

"(3) A provision in an agreement entered into before this section comes into force that authorizes an arbitrator or board of arbitration to include or to require the parties to include in a collective agreement a term described in subsection (2) is void.

"(4) Subsections (2) and (3) do not apply when the employer is an agency of the crown designated under clause 29.1(1)(a) of the Public Service Act."

Shall section 65.1 be an addition to the act?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment carried.

Shall sections 66 through 68 be part of the act?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare sections 66 through 68 part of the bill.

Mrs Witmer moves that subsection 13.1(2) of the Employment Standards Act, as set out in section 69 of the bill, be struck out and the following substituted:

"Application

"(2) This section applies if, on or after October 31, 1995 one employer begins to provide services at a premises replacing another employer who was providing the services."

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment carried.

Mrs Witmer moves that subsection 13.1(4) of the Employment Standards Act, as set out in section 69 of the bill, be struck out and the following substituted:

"Successor employer's obligation

"(4) If the successor employer does not employ an employee of the previous employer, the successor employer shall comply with part XIV in respect of the employee."

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment carried.
1820

Mrs Witmer moves that section 13.1 of the Employment Standards Act, as set out in section 69 of the bill, be amended by adding the following subsections:

"Information

"(7.1) Upon request, an employer providing services at a premises shall give the owner or the manager of the premises such information as may be prescribed about the employees who are providing the services.

"Same

"(7.2) Upon request, the owner or manager of the premises shall give the information referred to in subsection (7.1) about the employees who are providing the services at the premises on the request date to a person who becomes a successor employer providing the services.

"Same

(7.3) Upon request, the owner or manager of the premises shall give such information as may be prescribed about the employees who are providing the services at the premises on the request date to a person who may become a successor employer providing the services.

"Use of information

"(7.4) A person to whom information is given under this section shall use the information only for the purpose of complying with this section.

"Confidentiality

"(7.5) A person in possession of information given under this section shall not disclose it except as authorized by this section.

"Regulations

"(7.6) The Lieutenant Governor in Council may make regulations prescribing information for the purposes of subsections (7.1) and (7.3)."

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare this amendment carried.

Mrs Witmer moves that section 13.1 of the Employment Standards Act, as set out in section 69 of the bill, be amended by adding the following subsection:

"Employment standards officer may make order

"(7.7) If a person fails to comply with this section, an employment standards officer may order what action, if any, the person shall take or what the person shall refrain from doing in order to constitute compliance with this section and may order what compensation shall be paid by the person to the director in trust for other persons."

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare this amendment carried.

Shall section 69, as amended, form part of the act?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that section 69, as amended, is part of the act.

Shall sections 70 through 72 form part of the act?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that sections 70 through 72 are part of the act.

Mrs Witmer moves that clause 58.1(2)(a) of the Employment Standards Act, as set out in subsection 73(1) of the bill, be struck out and the following substituted:

"(a) regular wages, including commissions, overtime wages, vacation pay (other than vacation pay based on termination pay) and holiday pay."

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment to section 73 carried.

Shall section 73, as amended, form part of the act?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that section 73, as amended, is part of the act.

Shall sections 74 through 75 form part of the act?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that sections 74 through 75 form part of the act.

Mrs Witmer moves that section 76 of the bill be struck out and the following substituted:

"Transition, employee wage protection program

"76(1) The eligibility of an employee to receive compensation from the employee wage protection program under subsection 58.4(1) of the act is determined in accordance with this section for the following:

"1. For wages, excluding termination pay and severance pay, due and owing for a period that begins before September 7, 1995.

"2. For termination pay relating to a termination of employment that occurs before September 7, 1995 other than a layoff described in paragraph 3.

"3. For termination pay relating to a layoff that is deemed before September 7, 1995 to be a termination of employment.

"4. For severance pay relating to a dismissal described in clause (a) of the definition of 'termination' in subsection 58(1) of the act that occurs before September 7, 1995.

"5. For severance pay relating to a layoff described in

clause (b) of that definition that begins before September 7, 1995.

"6. For severance pay relating to a layoff described in clause (c) of that definition that, before September 7, 1995 equals 35 weeks in a period of 52 consecutive weeks.

"7. For termination pay relating to a termination of employment that occurs on or after September 7, 1995 other than a layoff described in paragraph 8.

"8. For termination pay relating to a layoff that is deemed on or after September 7, 1995 to have been a termination occurring before that date.

"9. For severance pay relating to a dismissal described in clause (a) of the definition of 'termination' in subsection 58(1) of the act that occurs on or after September 7, 1995.

"10. For severance pay relating to a layoff described in clause (b) of that definition that begins on or after September 7, 1995.

"11. For severance pay relating to a layoff described in clause (c) of that definition that, on or after September 7, 1995, equals 35 weeks in a period of 52 consecutive weeks.

"(2) Subject to subsections (4), (5) and (6), the employee is eligible to receive compensation from the program in accordance with part XIV.1 of the act, as it reads before sections 73, 74 and 75 come into force, for amounts described in paragraphs 1 to 6 of subsection (1).

"(3) The employee is not eligible for compensation from the program for amounts described in paragraphs 7 to 11 of subsection (1).

"(4) The maximum amount of compensation that the employee is eligible to receive from the program in respect of his or her employment with an employer is \$5,000 for the following:

"1. Wages, excluding termination pay and severance pay, that are due and owing for a period that begins before September 7, 1995 and ends on or after that date.

"2. Termination pay described in paragraphs 2 and 3 of subsection (1).

"3. Severance pay described in paragraphs 4, 5 and 6 of subsection (1).

"(5) The maximum amount of compensation that the employee is eligible to receive from the program is \$5,000 for the following:

"1. Wages, excluding termination pay and severance pay, that are due and owing for a period that begins and ends before September 7, 1995.

"2. Termination pay described in paragraphs 2 and 3 of subsection (1).

"3. Severance pay described in paragraphs 4, 5 and 6 of subsection (1).

"(6) The maximum amount of compensation that the employee is eligible to receive from the program for wages, excluding termination pay and severance pay, that become due and owing on or after September 7, 1995 in respect of his or her employment with an employer is \$2,000."

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment to section 76 is carried.

Shall section 76, as amended, form part of the bill?
Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that section 76, as amended, is part of the act.

Shall sections 77 and 78 form part of the bill?

All those in favour, please rise.

All those opposed?

Clerk Assistant and Clerk of Committees: The ayes are 88; the nays are 15.

The Chair: I declare that sections 77 and 78 form part of the act.

1830

Mrs Witmer moves that subsection 65(6) of the Freedom of Information and Protection of Privacy Act, as set out in subsection 79(1) of the bill, be amended by adding at the beginning "Subject to subsection (7)."

All those in favour, please rise.

All those opposed?

The ayes are 69; the nays are 34.

I declare the amendment to section 79 carried.

Mrs Witmer moves that subsection 79(1) of the bill be amended by adding the following subsection to section 65 of the Freedom of Information and Protection of Privacy Act after subsection 65(6) of that act:

"Exception

"(7) This act applies to the following records:

"1. An agreement between an institution and a trade union.

"2. An agreement between an institution and one or more employees which ends a proceeding before a court, tribunal or other entity relating to labour relations or to employment-related matters.

"3. An agreement between an institution and one or more employees resulting from the negotiations about employment-related matters between the institution and the employee or employees.

"4. An expense account submitted by an employee of an institution to that institution for the purpose of seeking reimbursement for expenses incurred by the employee in his or her employment."

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment to section 79 carried.

Mrs Witmer moves that subsections 79(2) and (3) of the bill be struck out.

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment carried.

Shall section 79, as amended, form part of the act?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that section 79, as amended, be part of the bill.

Mrs Witmer moves that subsection 52(3) of the Municipal Freedom of Information and Protection of Privacy Act, as set out in subsection 80(1) of the bill, be amended by adding at the beginning "Subject to subsection (4)."

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment carried.

Mrs Witmer moves that subsection 80(1) of the bill be amended by adding the following subsection to section 52 of the Municipal Freedom of Information and Protection of Privacy Act after subsection 52(3) of that act:

"Exception

"(4) This act applies to the following records:

"1. An agreement between an institution and a trade union.

"2. An agreement between an institution and one or more employees which ends a proceeding before a court, tribunal or other entity relating to labour relations or to employment-related matters.

"3. An agreement between an institution and one or more employees resulting from negotiations about employment-related matters between the institution and the employee or employees.

"4. An expense account submitted by an employee of an institution to that institution for the purpose of seeking reimbursement for expenses incurred by the employee in his or her employment."

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment carried.

Mrs Witmer moves that subsections 80(2) and (3) of the bill be struck out.

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment carried.

Shall section 80, as amended, form part of the act?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that section 80, as amended, form part of the act.

Section 81, same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that section 81 is part of the act.

Mrs Witmer moves that section 82 of the bill be struck out and the following substituted:

"82(1) Section 22 of the Public Service Act is amended by adding the following subsection:

"Same, reasonable notice

"(4.1) A deputy minister may release from employment in accordance with the regulations any public servant who is employed in a position or class of positions that is designated in the regulations on giving him or her reasonable notice or compensation in lieu of reasonable notice.

"(2) Subsection 29(1) of the act, as amended by the Statutes of Ontario, 1993, chapter 38, section 63, is further amended by adding the following clauses:

"(p.1) governing release from employment on reasonable notice or compensation in lieu of reasonable notice, including requiring a deputy minister to obtain the approval of the commission before exercising his or her authority under subsection 22(4.1);

"(p.2) designating positions or classes of positions for the purposes of subsection 22(4.1)."

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment carried.

Shall section 82, as amended, form part of the bill? Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that section 82, as amended, form part of the act.

Mrs Witmer moves that subsections 83(1) and (2) of the bill be struck out and the following substituted:

"Commencement

"83(1) This act, except as provided in subsections (2), (3), (4) and (5), comes into force on the day it receives royal assent.

"Same

"(2) Subsection 14(1) shall be deemed to have come into force on February 14, 1994."

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment to section 83 carried.

Mrs Witmer moves that subsection 83(4) of the bill be struck out and the following substituted:

"Same

"(4) The following provisions shall be deemed to have come into force on October 4, 1995:

"1. Subsection 1(3).

"2. Section 4.

"3. Subsection 22(1).

"4. Section 62.

"Same

"(5) Sections 68, 69 and 70 shall be deemed to have come into force on October 31, 1995."

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment carried.

Shall section 83, as amended, form part of the act?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that section 83, as amended, is part of the act.

Shall section 84 form part of the act?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that section 84 is part of the act.

Shall sections 1 through 3 of schedule A form part of the act?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that sections 1 through 3 of the schedule form part of the act.

Mrs Witmer moves that subsection 4(1) of the Labour Relations Act, 1995, as set out in schedule A to the bill, be struck out and the following substituted:

"Certain crown agencies bound

"(1) This act binds agencies of the crown other than,

"(a) those that employ crown employees as defined in the Public Service Act; and

"(b) those that are designated under clause 29.1(1)(a) of the Public Service Act."

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

1840

The Chair: I declare the amendment 4(1) is carried.

Shall section 4 of the schedule, as amended, be carried?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that section 4, as amended, is part of the schedule.

Shall sections 5 and 6 of the schedule form part of the schedule?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that sections 5 and 6 of schedule A are part of it.

Mrs Witmer moves that subsections 7(9) and (10) of the Labour Relations Act, 1995, as set out in Schedule A to the bill, be struck out and the following substituted:

"Bar to reapplying

"(9) If the trade union withdraws the application before a representation vote is taken, the board may refuse to consider another application for certification by the trade union as the bargaining agent of the employees in the

proposed bargaining unit until one year or such shorter period as the board considers appropriate has elapsed after the application is withdrawn.

"Same

"(9.1) If the trade union withdraws the application after the representation vote is taken, the board shall not consider another application for certification by the trade union as the bargaining agent of the employees in the proposed bargaining unit until one year has elapsed after the application is withdrawn.

"Notice to employer

"(10) The trade union shall deliver a copy of the application for certification to the employer by such time as is required under the rules made by the board and, if there is no rule, not later than the day on which the application is filed with the board."

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment to subsections 7(9) and (10) of the schedule A carried.

Mrs Witmer moves that subsection 7(13) of the Labour Relations Act, 1995, as set out in schedule A to the bill, be struck out and the following substituted:

"Same

"(13) If the employer disagrees with the description of the proposed bargaining unit, the employer may give the board a written description of the bargaining unit that the employer proposes and shall do so within two days (excluding Saturdays, Sundays and holidays) after the day on which the employer receives the application for certification."

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment carried.

Shall section 7, as amended, form part of the schedule?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that section 7 of schedule A is carried, as amended.

Mrs Witmer moves that subsections 8(2) and (3) of the Labour Relations Act, 1995, as set out in schedule A to the bill, be struck out and the following substituted:

"Direction re representation vote

"(2) If the board determines that 40 per cent or more of the individuals in the bargaining unit proposed in the application for certification appear to be members of the union at the time the application was filed, the board shall direct that a representation vote be taken among the individuals in the voting constituency.

"Membership in trade union

"(3) The number of individuals in the proposed bargaining unit who appear to be members of the trade union shall be determined with reference only to the information provided in the application for certification and the accompanying information provided under subsection 7(12)."

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment to subsections 8(2) and (3) carried.

Mrs Witmer moves that subsection 8(5) of the Labour Relations Act, 1995, as set out in schedule A of the bill, be struck out and the following substituted:

"Timing of vote

"(5) Unless the board directs otherwise, the representation vote shall be held within five days (excluding Saturdays, Sundays and holidays) after the day on which the application for certification is filed with the board."

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment carried.

Shall section 8, as amended, be part of the schedule?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that section 8, as amended, form part of schedule A.

Shall section 9 form part of the schedule?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that section 9 is part of the schedule.

Mrs Witmer moves that subsection 10(1) of the Labour Relations Act, 1995, as set out in schedule A to the bill, be struck out and the following substituted:

"Certification after representation vote

"(1) The board shall certify a trade union as the bargaining agent of the employees in a bargaining unit that is determined by the board to be appropriate for collective bargaining if more than 50 per cent of the ballots cast in the representation vote by the employees in the bargaining unit are cast in favour of the trade union."

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment carried.

Shall section 10, as amended, form part of the schedule?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare section 10, as amended, part of the schedule.

Shall sections 11 through 15 form part of the schedule?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that sections 11 through 15 form part of the schedule.

Mrs Witmer moves that section 16 of the Labour Relations Act, 1995, as set out in schedule A to the bill, be struck out and the following substituted:

"Notice of desire to bargain

"16. Following certification or the voluntary recognition by the employer of the trade union as bargaining agent for the employees in the bargaining unit, the trade union shall give the employer written notice of its desire to bargain with a view to making a collective agreement."

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that the amendment is carried.

Shall section 16, as amended, form part of the schedule?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that section 16, as amended, form part of the schedule.

Shall sections 17 through 36 form part of the schedule?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that sections 17 through 36 form part of the schedule.

An amendment to section 37.

Mrs Witmer moves that subsection 37(2) of the Labour Relations Act, 1995, as set out in schedule A to the bill, be amended by striking out 'section 31' at the end and substituting 'section 33.'

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment to subsection 37(2) carried.

Shall section 37, as amended, form part of the schedule?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that section 37, as amended, form part of the schedule.

Shall sections 38 through 42 form part of the schedule?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that sections 38 through 42 be part of the schedule.

An amendment to subsection 43(8).

Mrs Witmer moves that subsection 43(8) of the Labour Relations Act, 1995, as set out in schedule A to the bill, be amended by striking out 'section 116' in the fifth line and substituting 'section 115.'

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment to subsection 43(8) carried.

Shall section 43, as amended, form part of the schedule?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that section 43, as amended, form part of the schedule.

1850

An amendment to section 44.

Mrs Witmer moves that section 44 of the Labour Relations Act, 1995, as set out in schedule A to the bill, be struck out and the following substituted:

"Mandatory ratification vote

"44(1) A proposed collective agreement that is entered into or memorandum of settlement that is concluded on or after the day on which this section comes into force has no effect until it is ratified as described in subsection (3).

"Exceptions

"(2) Subsection (1) does not apply with respect to a collective agreement,

"(a) imposed by order of the board or settled by arbitration;

"(b) that reflects an offer accepted by a vote held under section 41 or subsection 42(1); or

"(c) that applies to employees in the construction industry.

"Vote

"(3) A proposed collective agreement or memorandum of settlement is ratified if a vote is taken in accordance with subsections 78(5) to (7) and more than 50 per cent of those voting vote in favour of ratifying the agreement or memorandum."

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment to section 44 carried.

Shall section 44, as amended, be part of the schedule?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that section 44, as amended, form part of the schedule.

Shall sections 45 through 47 form part of the schedule?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that sections 45 through 47 form part of the schedule.

An amendment to section 48.

Mrs Witmer moves that section 48 of the Labour Relations Act, 1995, as set out in schedule A to the bill, be amended by adding the following subsection:

"Appointment of settlement officer

"(4.1) On the request of either party, the minister shall appoint a settlement officer to endeavour to effect a settlement before the arbitrator or arbitration board appointed under subsection (4) begins to hear the arbitration. However, no appointment shall be made if the other party objects. 1992, c.21, s.23(2)."

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment to section 48 carried.

Further amendment to section 48.

Mrs Witmer moves that subsection 48(11) of the Labour Relations Act, 1995, as set out in schedule A to the bill, be amended by adding the following clause:

"(j) to interpret and apply human rights and other employment-related statutes, despite any conflict between those statutes and the terms of the collective agreement."

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment carried.

A further amendment to section 48.

Mrs Witmer moves that section 48 of the Labour Relations Act, 1995, as set out in schedule A to the bill, be amended by adding the following subsections:

"Power re mediation

"(12.1) An arbitrator or the chair of an arbitration board, as the case may be, may mediate the differences between the parties at any stage in the proceedings with the consent of the parties. If mediation is not successful, the arbitrator or arbitration board retains the power to determine the difference by arbitration.

"Enforcement power

"(12.2) An arbitrator or the chair of an arbitration board, as the case may be, may enforce the written settlement of a grievance."

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment carried.

Shall section 48, as amended, be part of the schedule?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69, the nays are 34.

The Chair: I declare that section 48, as amended, be part of the schedule.

Shall sections 49 through 52 be part of the schedule?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that sections 49 through 52 are part of the schedule.

Amendment to section 53.

Mrs Witmer moves that section 53 of the Labour Relations Act, 1995, as set out in schedule A of the bill, be struck out and the following substituted:

"Certain agreements not to be treated as collective agreements

"53. An agreement between an employer or an employers' organization and a trade union shall be deemed not to be a collective agreement for the purposes of this act if an employer or employers' organization participated in the formation or administration of the trade union or contributed financial or other support to the trade union."

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment carried.

Shall section 53, as amended, form part of the schedule?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that section 53, as amended, form part of the schedule.

Mrs Witmer moves that the Labour Relations Act, 1995, as set out in schedule A of the bill, be amended by adding the following section:

"Discrimination prohibited

"53.1 A collective agreement must not discriminate against any person if the discrimination is contrary to the Human Rights Code or the Canadian Charter of Rights and Freedoms. 1992, c.21, s.26, part."

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare section 53.1 as part of the schedule.

Shall sections 54 to 61 form part of the schedule?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that sections 54 through 61 form part of the schedule.

Mrs Witmer moves that subsections 62(3) and (4) of the Labour Relations Act, 1995, as set out in schedule A to the bill, be struck out and the following substituted:

"Notice to employer, trade union

"(3) The applicant shall deliver a copy of the application to the employer and the trade union by such time as is required under the rules made by the board and, if there is no rule, not later than the day on which the application is filed with the board."

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment carried.

Mrs Witmer moves that section 62 of the Labour Relations Act, 1995, as set out in schedule A to the bill, be amended by adding the following subsection:

"Same

"(7.1) The board may consider such information as it considers appropriate to determine the number of employees in the bargaining unit."

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment carried.

Mrs Witmer moves that subsection 62(9) of the Labour Relations Act, 1995, as set out in schedule A to the bill, be struck out and the following substituted:

"Timing of vote

"(9) Unless the board directs otherwise, the representation vote shall be held within five days (excluding Saturdays, Sundays and holidays) after the day on which the application is filed with the board."

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment carried.

Mrs Witmer moves that section 62 of the Labour Relations Act, 1995, as set out in schedule A to the bill, be amended by adding the following subsection:

"Sealing of ballot box, etc

"(10.1) The board may direct that one or more ballots be segregated and that the ballot box containing the ballots be sealed until such time as the board directs."

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment carried.

Mrs Witmer moves that section 62 of the Labour Relations Act, 1995, as set out in schedule A to the bill, be amended by adding the following subsection:

"Same, employer misconduct

"(14.1) Despite subsections (6) and (13), the board may dismiss the application if the board is satisfied that the employer or a person acting on behalf of the employer initiated the application or engaged in threats, coercion or intimidation in connection with the application."

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment carried.

Shall section 62, as amended, form part of the schedule?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that section 62, as amended, form part of the schedule.

Shall sections 63 through 77 form part of the schedule?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that sections 63 through 77 form part of the schedule.

Mrs Witmer moves that subsection 78(3) of the Labour Relations Act, 1995, as set out in schedule A to the bill, be struck out and the following substituted:

"Mandatory strike vote

"(3) If a collective agreement is or has been in operation, no employee shall strike unless a strike vote is taken 30 days or less before the collective agreement expires or at any time after the agreement expires and more than 50 per cent of those voting vote in favour of a strike.

"Same

"(3.1) If no collective agreement has been in operation, no employee shall strike unless a strike vote is taken on or after the day on which a conciliation officer is appointed and more than 50% of those voting vote in favour of a strike.

"Exception

"(3.2) Subsections (3) and (3.1) do not apply to an employee in the construction industry."

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that the amendment to section 78 is carried.

1900

Mrs Witmer moves that subsections 78(5) and (6) of the Labour Relations Act, 1995 as set out in schedule A to the bill, be struck out and the following substituted:

"Strike or ratification vote to be secret

"(5) A strike vote or a vote to ratify a proposed collective agreement or memorandum of settlement taken by a trade union shall be by ballots cast in such a manner that persons expressing their choice cannot be identified with the choice expressed.

"Right to vote

"(6) All employees in a bargaining unit, whether or not the employees are members of the trade union or of any constituent union of a council of trade unions, shall be entitled to participate in a strike vote or a vote to ratify a proposed collective agreement or memorandum of settlement."

Shall the amendment to section 78 be carried?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment carried.

Shall section 78, as amended, form part of the schedule?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that section 78, as amended, is part of the schedule.

Shall sections 79 through 94 form part of the schedule?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that sections 79 through 94 are part of the schedule.

Mrs Witmer moves that subsections 95(6) and (7) of the Labour Relations Act, 1995, as set out in schedule A to the bill, be struck out and the following substituted:

“Filing in court

“(6) A trade union, council of trade unions, employer, employers’ organizations or person affected by the determination may file the determination, excluding the reasons, in the prescribed form in the Ontario Court (General Division) and it shall be entered in the same way as an order of that court and is enforceable as such. 1992, c. 21, s. 36(3).

“Effect of settlement

“(7) Where a proceeding under this act has been settled, whether through the endeavours of the labour relations officer or otherwise, and the terms of the settlement have been put in writing and signed by the parties or their representatives, the settlement is binding upon the parties, the trade union, council of trade unions, employer, employers’ organization, person or employee who have agreed to the settlement and shall be complied with according to its terms, and a complaint that the trade union, council of trade unions, employer, employers’ organization, person or employee who has agreed to the settlement has not complied with the terms of the settlement shall be deemed to be a complaint under subsection (1). RSO 1990, c. L.2, s. 91(7); 1992, c. 21, s. 36(4).”

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment carried.

Shall section 95, as amended, be part of the schedule?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that section 95, as amended, forms part of the schedule.

Shall sections 96 through 97 form part of the schedule?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that sections 96 through 97 form part of the schedule.

Mrs Witmer moves that subsection 98(10) of the Labour Relations Act, 1995, as set out in schedule A to the bill, be struck out and the following substituted:

“Filing in court

“(10) A party to an interim or final order may file it, excluding the reasons, in the prescribed form in the Ontario Court (General Division) and it shall be entered in the same way as an order of that court and is enforceable as such. 1993, c. 38, s. 67(5), part.”

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment carried.

Shall section 98, as amended, stand as part of the schedule?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that section 98, as amended, forms part of the schedule.

Shall sections 99 and 100 form part of the schedule?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that sections 99 and 100 stand as part of the schedule.

Mrs Witmer moves that section 101 of the Labour Relations Act, 1995, as set out in schedule A to the bill, be struck out and the following substituted:

“Filing in court

“101. A party to a direction made under section 99 or 100 may file it, excluding the reasons, in the prescribed form in the Ontario Court (General Division) and it shall be entered in the same way as an order of that court and is enforceable as such. 1992, c. 21, s. 39.”

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment to section 101 carried.

Shall section 101, as amended, form part of the schedule?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that section 101 of the schedule stand as part of the schedule.

Shall sections 102 through 109 form part of the schedule?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that sections 102 through 109 stand as part of the schedule.

Mrs Witmer moves that clause 110(2)(1) of the Labour Relations Act, 1995, as set out in schedule A to the bill, be struck out and the following substituted:

“(1) to determine the form in which evidence of membership in a trade union or of signification by employees that they no longer wish to be represented by a trade union shall be presented to the board on an application for certification or for a declaration terminating bargaining rights, and to refuse to accept any evidence of membership or signification that is not presented in the form so determined.”

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment to section 110 carried.

Shall section 110, as amended, stand as part of the schedule?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that section 110, as amended, form part of the schedule.

Shall sections 111 through 129 form part of the schedule?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that sections 111 through 129 stand as part of the schedule.

I declare the next amendment to be out of order. The proper way to put it out of order is to vote against it.

Shall section 130 of the bill stand?

Would all those in favour please stand.

Would all those opposed please stand.

Clerk Assistant and Clerk of Committees: The ayes are 0; the nays are 103.

The Chair: I declare section 130 lost.

Shall sections 131 through 143 stand as part of the schedule?

The original vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that sections 131 through 143 form part of the schedule.

1910

Motion 144 is out of order for the same reason. The way to strike it out is to vote against it.

Same vote as before?

Clerk Assistant and Clerk of Committees: The ayes are 0; the nays are 103.

The Chair: I declare section 144 struck out.

Mrs Witmer moves that subsection 145(4) of the Labour Relations Act, 1995, as set out in schedule A to the bill, be struck out and the following substituted:

"Filing in court

"(4) A party to a direction made under this section may file it, excluding the reasons, in the prescribed form in the Ontario Court (General Division) and it shall be entered in the same way as an order of that court and is enforceable as such. 1992, c. 21, s. 56."

Same original vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment carried.

Section 145 of the schedule, as amended, same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that section 145, as amended, stand part of the bill.

Shall sections 146 through 159 form part of the schedule?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that sections 145 through 159 form part of the schedule.

Mrs Witmer moves that subsection 160(2) of the Labour Relations Act, 1995, as set out in schedule A to the bill, be struck out and the following substituted:

"Direction for representation vote

"(2) If the board determines that 40 per cent or more of the individuals in the bargaining unit proposed in the application for certification appear to be members of the trade unions at the time the application was filed, the board shall direct that a representation vote be taken among the individuals in the voting constituency."

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment to subsection 160(2) carried.

Shall section 160, as amended, form part of the schedule?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that section 160, as amended, stand part of the schedule.

Shall sections 161 through 163 form part of the schedule?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that sections 161 through 163 form part of the schedule.

I declare that amendment 164 is out of order for the same reason.

Mrs Witmer moves that section 164 not be part of the bill.

Same vote as before?

Clerk Assistant and Clerk of Committees: The ayes are 0; the nays are 103.

The Chair: I declare section 164 struck out.

Shall section 165 of the schedule stand as part of the bill?

Same original vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that section 165 of the act stand part of the schedule.

Mrs Witmer moves that subsections 166(2) and (3) of the Labour Relations Act, 1995, as set out in schedule A to the bill, be struck out.

All those in favour of the amendment?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare the amendment carried.

Shall section 166, as amended, stand part of the schedule?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that section 166, as amended, form part of the act.

Shall sections 167 through 171 form part of the act?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that sections 167 through 171 stand part of the act.

Shall the title carry?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I declare that the title stands.

Shall I report the bill, as amended, to the House?

Same vote?

Clerk Assistant and Clerk of Committees: The ayes are 69; the nays are 34.

The Chair: I shall report the bill, as amended, to the House.

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): I move that the committee rise and report.

The Chair: Shall the motion carry? Agreed.

The committee begs to report one bill, as amended, to the House.

The Deputy Speaker (Mr Bert Johnson): Shall the report be received and adopted?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

I declare the motion carried.

We just went through a very uncomfortable exercise for me. I'm a little bit hoarse, but I would like to thank all of those in the opposition for their consideration, and thanks to the government for getting it through.

LABOUR RELATIONS AND EMPLOYMENT
STATUTE LAW AMENDMENT ACT, 1995

LOI DE 1995 MODIFIANT DES LOIS
EN CE QUI CONCERNE
LES RELATIONS DE TRAVAIL
ET L'EMPLOI

Mrs Witmer moved third reading of the following bill:

Bill 7, An Act to restore balance and stability to labour relations and to promote economic prosperity and to make consequential changes to statutes concerning labour relations / Projet de loi 7, Loi visant à rétablir l'équilibre et la stabilité dans les relations de travail et à promouvoir la prospérité économique et apportant des modifications

corrélatives à des lois en ce qui concerne les relations de travail.

The Deputy Speaker (Mr Bert Johnson): Does the House leader have a statement?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): Mr Speaker, it's my understanding that we have unanimous agreement to divide the time on third reading equally among the three parties. We will start with the third party, move to the official opposition and then to the government, if that's acceptable.

The Deputy Speaker: The chair recognizes the member for Nickel Belt.

Mr James J. Bradley (St Catharines): The House is empty.

Mr Floyd Laughren (Nickel Belt): Yes. I've cleared bigger rooms than this.

Ms Frances Lankin (Beaches-Woodbine): The government's not staying to listen?

Mr Gilles Pouliot (Lake Nipigon): They're leaving in shame.

Mr Gilles Bisson (Cochrane South): Look at that. The entire government is walking out. They don't want to listen to the public. They don't even want to listen to the opposition.

The Deputy Speaker: We'll just be a minute.
1920

Mr Laughren: I know that members had to leave for other reasons than the fact that I rose to speak on this bill. At least that's a possibility.

I am pleased to speak on third reading of this bill. I must say that I was surprised when I first looked at Bill 7, because my memory does serve me well sometimes and I remember the day we introduced Bill 40, which the Tories were so opposed to, how the present Premier, then leader of the third party, rose to his feet and introduced a one-page bill that simply repealed our bill.

During the election campaign, both before and during the campaign, Mr Harris talked about repealing Bill 40, so everybody expected that they would indeed repeal Bill 40. Nobody was surprised with the fact that they were going to repeal Bill 40. What surprised all of us was the content of Bill 7. It contained a lot more than the repeal of Bill 40.

Now, I don't want to use unparliamentary language, but certainly the Premier and others misled the public of this province when they said they were going to repeal Bill 40 and did not explain at all that they were going to go beyond that. A lot of people were very surprised and disappointed that you didn't simply carry through with what you said you were going to do, and that's repeal Bill 40. We expected you to do that; that was a major part of your platform, but the fact that you've gone way beyond that is truly appalling.

I remember the days of picket line violence, and a lot of picket line violence, and I can remember the problems it caused the government of the day with Fleck Manufacturing, with Irwin Toy and Radio Shack—I could go on and on—when police escorted scabs through a legitimate

picket line. If that's what you want, if you want that kind of confrontation in this province, you're doing the right thing, because that's what you're going to get.

It's not something that I like to see, it's not something that most people like to see, but I have this uneasy feeling that it will not make the Tories very unhappy to see police escorting scabs through a legitimate picket line. If that's your agenda for this province, then I feel sorry for working people in Ontario because that is hardly the kind of agenda that civilized people look for.

Once you get a law in place, such as Bill 40, that removes that possibility of picket line violence, why do you tamper with it? You cannot make the argument, you cannot make the argument and sustain it, that Bill 40 cost jobs and investment. It is impossible for you to sustain that argument because there is no evidence, and my colleagues have argued long and hard about the record investments that came into this province, particularly in the manufacturing area, particularly in the auto sector, while Bill 40 was in place.

So all it is is scratching you where you ideologically itch. That's all this bill is for. It is not to bring new investment into the province, because it won't do that. It simply won't do that. As a matter of fact, if I were the investor, one of the things that I'd be shying away from would be a jurisdiction where there was violence on the picket line. I can tell you that the labour movement will not sit back, working people will not sit back and watch you do this to them, because what you are really saying is that scabs are more important than the workers in that particular place. That's what you're saying.

Interjection.

Mr Laughren: Well, you are. You can be sure you will have the police out there escorting the scabs through the lawful picket lines. That's what you'll be doing, and you'll be living with that, because it has to happen. We've seen examples in other jurisdictions in this country when you allow scabs to go to work, and I'm thinking of Yellowknife. You've seen that. You know that it's inevitable. Well, if this Bill 40 had been in place in Yellowknife, that tragedy would not have happened.

Interjection.

Mr Laughren: Well, whether you like it or not. It makes you squirm a bit over there, but I can tell you that's one of the beauties of what Bill 40 did to labour peace. It said that if people go on a legitimate strike, scabs cannot come through that legitimate picket line. Now what you're saying is, "We endorse that happening." You actually endorse it with this bill.

Interjection.

Mr Laughren: I hope you feel good about it, because I want to tell you it's been a long time since any government in this province didn't bring in legislation that at least advanced the cause of labour somewhat. Different parties did it in different ways and advanced the cause of labour by different degrees. I can't remember a government that brought in labour legislation that's so anti-worker that it takes their rights back from prior to the Bill Davis years. That's what you're doing. I can't believe that you feel that this is good for Ontario. That is not the civilized way to work any more.

I can tell you that I can only imagine how you people will be squirming, and you backbenchers will be squirming, when there's violence on the picket line as those scabs are escorted through the picket line by the police—by your police. That might make Mr Runciman happy, but it will not make the rest of the province happy.

Mr John R. Baird (Nepean): You speak out against it then. Say, "I oppose violence."

Mr Laughren: I see the backbenchers are starting to heckle, because I think some of them are feeling pretty uneasy about this bill. Because, mark my word, there's going to be trouble. Not because I want it, but because you are promoting it. With this bill, you are ensuring that before your first term is up there's going to be violence on the picket line.

Mr Baird: Just say it. Say, "I oppose violence."

Mr Laughren: What a silly interjection by the member for Nepean. I mean, that is really a ridiculous interjection. What you need to say as you stand proudly with this bill in your hand is that you oppose violence. I want to hear you say that.

Mr Baird: I oppose violence. I disagree with Gord Wilson. I will not participate in violence of any kind.

Mr Laughren: Then you tell me how you can support a piece of legislation like this which condones the scabs going through a picket line, escorted by police of course—maybe private security police. We went through that, we went through that in this province and it was not a pretty sight, and what you are doing—somehow you think that there's going to be a political gain for you, because you can't sustain the argument that there's any economic gain. You seem to think that there will be political gain for you with this stance against working people or, as you would see it, against unions.

That's how you see it. But I want to tell you, you're dead wrong. To go back on legislation that people have fought for for so long—and your own governments, Tory governments brought in legislation that at least brought forward workers' rights. This is the first one that's taken away workers' rights. And you know what? Needlessly. Needlessly.

Mr Baird: What about the social contract?

Mr Laughren: I can tell you, the member for Nepean arguing about the social contract, I'll stand proudly and defend the fact that we saved 40,000 jobs in the public sector, which is more than you're going to do, my friend. You'll be taking jobs away from people in the public sector. We saved those jobs. So I don't need any lecture from a government that's taking away workers' rights and taking away their jobs at the same time.

I can tell you that we in this caucus are as opposed to this piece of legislation as, I guess, anything that you're likely to do in the next four or four and a half years, because it is so fundamentally wrong. It is so fundamentally wrong to be promoting this kind of behaviour on legal picket lines, because that's what you're doing. You will be promoting it by this piece of legislation.

I won't even comment on the—well, I will a little bit. I don't think I've seen a Minister of Labour bring forth a piece of legislation that was in such a shambles as this

minister did. I mean, that was a sad performance that we witnessed this afternoon, a truly sad performance. You know why? Because you are determined to do it fast, to do it right now. That's what you are determined to do.

If you had taken our advice, taken your time, drafted the legislation properly, gone out on the road, do you think that all these silly amendments that you had to make today wouldn't have been picked up in the clause-by-clause hearings across the province? Of course, they would have been. That's why you hold clause-by-clause hearings. Oh no, oh no, ideologically you didn't want to do that. You wanted to just jam it through.

I mean, that was embarrassing this afternoon. Even I, as an opposition member, was embarrassed as I watched the Minister of Labour in that shameful performance this afternoon. All was avoidable if you people had simply done as we asked, and that was simply to hold public hearings across the province on this bill to allow people to have a say in it. I think it would have opened some of your eyes about what the dangers are of what you're doing, and there are going to be dangers in what you've done.

I regret very much that it's come to this with this bill. We are now in third reading stage and it will be the law of the land very shortly, and I regret that very much because I think it's completely unnecessary. I can tell you that I don't look forward to the day when I turn on my TV at night and watch the TV cameras show policemen escorting scabs through a legitimate picket line because of the legislation that you've brought in.

Madam Speaker, I'm going to reserve the balance of the time for my leader.

1930

Mr Bob Rae (York South): I want to say to my colleagues opposite that we fully recognize that the die is cast and that the government has made its decision, and I think really what we're doing in this debate this evening is simply setting down a few markers that we can at least point to and say, when we look at the subsequent history of labour relations in the province, that we warned the Conservative government of the day of the very shortsightedness of what they are deciding to do.

The province of Quebec brought forward legislation on ending picket line violence following a series of major and tragic events in the construction industry and in other industrial settings and the election of 1976.

To me, it's very interesting to contrast the behaviour of the Ontario business community with the behaviour of the Quebec business community in response to that particular measure. I think it's safe to say that the Quebec business community was not only sceptical but very strongly opposed to the decision of the Quebec government to bring in anti-scab legislation, but they signalled that, having opposed it, they would then be willing to work with it, and in my discussions with Quebec business leaders, of which I've had several over the last decade, I've really been struck by the maturity and by the understanding which they now have of the logic of that measure. As one of them put it to me, "We no longer have an insecure relationship; we have a secure relation-

ship, and there is much greater mutual respect and mutual understanding and there is an appreciation that both sides come to the bargaining table with something to offer."

It's very interesting that when Mr Bourassa was elected in 1984, he did not repeal the legislation on strikebreakers; he left it in place. One might well ask why a Liberal, who was elected with a large majority in 1984, took the position he did.

Mr Ted Arnott (Wellington): Flip-flop.

Mr Rae: Well, you can criticize Mr Bourassa if you want, but from my experience he's one of the wisest men in Canadian public life, and I think he did it, having a very close relationship with the leadership of the Quebec business community, because they felt it was something they wanted to live with and because, on balance, it was better to have a sense of solidarity and a sense of labour peace and a sense of security and a sense of mutual respect than it was to have the opposite. Mr Bourassa did not want a return to the lack of civility, to the insecurity and to the real social tensions that were a feature of Quebec society prior to 1976. Members opposite will recall many large strikes, losses of days, weeks, months of work, extensive social conflict in that province prior to the 1976 election.

It's very interesting to me when I look at the history of Bill 40. No piece of legislation received the same kind of ideological, frankly thoughtless attacks as did Bill 40. The business community didn't want to listen. They didn't want to look at the experience of Quebec. They didn't want to look at the difference in terms of labour-management relations, the difference in terms of days lost to strikes. They didn't want to know.

There was one marvellous poster put out by the Toronto Construction Association that had a picture of I think it was Lenin, Marx and me: a most unlikely trio, if anyone really knew anything about me, and I think my colleagues can vouch for how unlikely that trio in particular is.

Mr Pouliot: I think that's insulting to your leadership.

Mr Rae: My colleague the member for Lake Nipigon has always been a most loyal and effective member of our group.

But it is fascinating to me to have lived through the comments and the statements that were made, fascinating because no group was more adamant than the newspaper publishers. No group was, frankly, more determined to move in as employers and let me know what they thought. No group was more insistent on consultation and discussion. And no group has had greater difficulty in separating out its business interests from its editorial positions.

We had the fact of the newspaper publishers coming to see me on one day, and then the next week, after a meeting in which I said that I would not relent on the major premise of the anti-scab law but we would look at other amendments and other possibilities, I then found in the subsequent weeks that the coverage began to mount up, that the editorials began to heighten and that the interest was taken up most dramatically in the event.

Mr Sean G. Conway (Renfrew North): Richard Nixon should have been on that billboard.

Mr Rae: My colleague from Renfrew, who of course was one of our most merciless critics, he too rode that particular wave. I would recommend to the newly elected member from Windsor that he might learn something by reading through Hansard and seeing what some of his colleagues had to say on the occasion of the passage of Bill 40.

I know that the Liberal Party, who were most adamant in criticizing us on Bill 40, will be equally adamant in criticizing the Tories on Bill 7. Then we will still be trying to surmise what in fact is the position of the Liberal Party, though I must say while we're in opposition together we're certainly prepared to work hard with them in opposition to Bill 7. Whether they prefer working with us to working with the Conservatives against Bill 40, I have no idea, and I'm not sure I really want to know the answer.

The experience of Bill 40: We were told it would cause wrack and ruin. We were told it would bring the province to its knees. We were told that there would be no more investment, ever. We were told that there would be a complete decline in job creation.

The bill was passed in the fall of 1992. The economy began to recover in 1993. It recovered most strongly in 1994. In fact, 1994 was the year of the best growth that we had in seven years.

The facts will show that Bill 40 had absolutely nothing to do with investment, frankly, one way or the other. It did, I believe, over time, because of the dramatic reduction in days lost to strikes and because of the sense of stability that was created in a great many bargaining relationships. I was struck: Now, why did it create stability in bargaining relations?

I'm not going to mention the name of the plant, but I went through a plant in London. I was accompanied by my colleague the member for London Centre. We went through a factory—it was an organized factory—and I said I said to the manager of the factory: "How are things? How is your relationship?" This was in 1993. He said, "It's never better." I said, "Why is that?" He said, "Don't quote me." I'm quoting him; I'm not citing him, so I'm not really saying anything out of the ordinary. He said, "Don't quote me, but Bill 40."

I said, "Why Bill 40?" He said, "Because we do not want to have a strike. And because we do not want to have a strike, we know—and everybody knows our financial situation; it can't get any better. We all know that we're competing, that we can't afford to raise wages dramatically higher than inflation," and inflation was running at zero at that time. He said: "We have no choice but to get along. We have no choice but to work with them in terms of committees. We have no choice but to create a stable, sensible relationship. There is no possibility of our going around and trying to break this union. There's no possibility of our going around trying to create instability, and that is what is creating the climate for a stable relationship."

That is what people were telling me in private. That is not, of course, what they've said in public. But what I found remarkable about the overall business onslaught on Bill 40 was that it carried on to a peak of hysteria until the fall of 1992, and then the day the bill was passed, it stopped; we no longer had it as an issue. In fact, investment increased, investment improved. We had more foreign investment in 1992, 1993, 1994 than ever before in Ontario's history. Productivity improved, job creation improved, investment went up. We made steady progress in getting out of that recession which had been such a powerful part of our experience between 1989 and 1992.

1940

So we are left then with I guess one of the most interesting examples of what this government is all about, and my colleague the deputy leader, my good friend the member from Nickel Belt, I think has pointed out very clearly what this is all about.

This government is not about experience; it's not about the facts; it's not about what's really going on out there; it's not about, frankly, the truth; it's not about what's really taking place. It's about ideology, it's about fiction and it's about their own values being imposed on the rest of the world, regardless of the facts and regardless of the truth.

I've never seen a government that was more determined to act in accordance with an ideology rather than with the facts. Tomorrow we're going to be debating again Bill 8, in which a falsehood is told in the title of the bill, and because it's repeated—as many propagandists over centuries have told us, if you repeat something over and over again, people might start to believe it. This government obviously fixated on that somehow it's going in the right direction, even if it's false, even if it's untrue, even if it's not the case. The more you repeat it and the bigger the untruth, as we all know from the theories of propaganda, and the more and the louder you tell it, the more likely it is eventually to be believed. But that doesn't happen to make it true.

And so we have it in this bill. We have, by rote, the statements from the government saying that Bill 40 is a job killer. That happens to be false. That happens to be completely untrue. It happens to have no basis in fact. It happens to be the biggest fib one can imagine.

But they tell it over and over again, and if they tell it over and over again, they believe that it's true. People say to me, "What is Bill 40?" because they don't know what Bill 40 is. It's just another name or title for a bill. We say, "That's the bill that prevents people from replacing workers and from bringing people across the picket line and from disrupting a peaceful strike." They say, "Well, are they saying that the existence of unions themselves is a job killer?"

You see, this puts this government at odds not with me, or not only with me—it certainly puts them at odds with me, but not only with me—and not only with the Liberal government between 1985 and 1990; it puts them at odds with virtually every government in this province since 1943.

I would remind you that that is when the current context of labour relations was established in Canada, because at that brief moment in time, because of the Second World War, all labour relations were covered by national law and not simply by provincial law. As we all know, it was at that time that the principles of the Wagner Act were introduced into Canada and the ability of people to organize in the private sector, for unions to be certified when a majority of people had either signed cards or expressed a desire to join a trade union, were then certified. There was then bargaining required, and then there were contracts and collective agreements which followed.

The basic structure which was put in place was not put in place by a New Democratic Party government; it was put in by William Lyon Mackenzie King and it was put in in Ontario by George Drew. Ever since George Drew, we've had a process of certification, a process of bargaining, a process in which the policy of the government of Ontario has been to encourage collective bargaining—not only to permit it but to encourage it—and to make sure that unfair labour practices did not take place.

The first government that we've had in modern history, since 1943, which based itself on the premise that unions are bad, that unions are to be discouraged, that the formation of unions is to become more difficult, that workers who are fired as a result of wanting to organize are not going to get the protection of the law, that there is going to be a constant encouragement to decertification and to instability in bargaining and instability in labour relations, the first government in the modern history of the province to do that is the Conservative government led by Premier Harris—this government. George Drew didn't do it. Tom Kennedy didn't do it, Leslie Frost didn't do it, John Robarts didn't do it, Bill Davis didn't do it, Frank Miller didn't do it, David Peterson didn't do it and I certainly didn't do it, but the Harris government is doing it.

I think we have to understand the full dimensions of what's happening here. This is not simply a rewriting of Bill 40. This is not simply saying the little bit of progress that we made is going to be repealed. No, no, no, that's not what they're doing. They're doing that, but they're doing much more. They're taking money out of workers' pockets because the wage protection fund which we brought in at the height of the recession as a way of protecting the workers' wages and providing them with basic insurance is being depleted and money is being taken out of workers' pockets as a result, money which they are owed, money which they need, money which they deserve. If somebody carries employees for six weeks and then says, "Sorry, I don't have the money," they're out of luck.

Mr Pouliot: But the banks get paid.

Mr Rae: I would point out, as my colleague the member for Lake Nipigon has pointed out, the banks get paid; others are secured. What we're saying is, if it's good enough for the banks to be a secure lender and it's good enough for the trust companies to be a secure lender, then it ought to be good enough for the workers

of the province to get paid dollar on the dollar for the work they have done.

The Tory party never campaigned saying it would get rid of the wage protection fund. If they'd said that during the election, if they'd said they were going to dilute it, if they'd said they were going to take the money away, if they'd said they were going to cut the program back, they would not have had the support on election day that they had. They concealed that fact from the workers of the province. They did not tell the people of the province the truth in the election campaign.

This government likes to say, "Oh well, we may be controversial but at least we're doing what we said." Not true. You said you'd protect health care; you haven't done that. You said you wouldn't cut back on health care; you haven't done that. You never said a peep, you never said a word, you never said a thing about how you were going to be taking money away from workers, how you were going to be depriving the most vulnerable people in the province of their wages that they are owed.

I think it's disgraceful. I think it's absolutely disgraceful that somebody who's owed, say, \$3,000 or \$4,000 in wages for work that they've actually done, for money that's actually been earned, for the sweat they've actually put out, would not have some fund to go to, to get fully compensated for that. I think it's disgraceful.

Mr Laughren: It's disgusting.

Mr Rae: I think it truly is disgusting. It's just wrong. So what we need to do is to say that workers should be paid, workers should be compensated, workers should be getting what they deserve. We were never told. It was kept hidden. It was kept secret. It was kept away from the workers of the province.

Then we have the treatment of workers in the public sector. It has been a principle of labour relations in this province that if you have a collective agreement with an employer and that employer is bought or sold, you get the contract with it, just as when you sell a house you get the tenants, and it's a basic premise—you can't evict people simply on the basis of saying: "I want to sell. I'm sorry, you're out of luck." Imagine if the owner of an apartment that had 40 apartments in it said, "I want to sell my apartment building and you're all gone." No, no, the law would say no.

Mr Pouliot: Up till now.

Mr Rae: Up till now, anyway.

By the same token, if a large factory is sold to a subsequent purchaser, the workers don't lose the collective bargaining rights that they have. They have some rights. Those rights pertain to them. They are, if you like, the common-law rights which have been built up, protected now by legislation which is clearly in place.

1950

I find it fascinating that a government which says that it wants to bring private sector principles into government and into the workings of government would say, "We're going to treat ourselves differently than we treat any other business." On successor rights, it's very clear. On successor rights, public sector employees now are out of luck. They have no protection, they have no assurance,

they have no guarantee that they're going to be well treated, that at least if we go into this exercise of privatization—and we have no idea how extensive it is.

We were told that it was going to affect the liquor board; then we heard rumours that it was not going to affect the liquor board. We're told that there are plans for Ontario Hydro; we don't know what they are. Presumably one day, perhaps even this week, we'll hear what the government's plans are with respect to Ontario Hydro. We're told—we hear rumours—about work that's been going on in Comsoc and work that's been going on in MEDT and the Ministry of Transportation. There was a story in the paper the other day that perhaps at Correctional Services some facilities were going to be sold or taken over by the private sector. We don't know.

I would suspect that I'm no more or less in the dark than the backbenchers who are listening to these remarks. They, I'm sure, go into caucus fully armed with all the information that they need. For the moment, they're prepared to trust the government, because we're still in this period when of course you have great faith in the cabinet and in the judgement of the Premier.

Ms Lankin: Not after that display today.

Mr Rae: But I can tell you, you look at what happened today. You look at the experience that we've had from this government, the screwup on the regulations over welfare. Every member is on the line for those screwups, you know. It's not just the minister who has to answer the phone at the end of the day; it's each and every member who has to respond in the constituency office to people who are worried and scared and who wonder what's happening.

I can tell you—I will guarantee it; mark my words today—this government has made mistakes, simple drafting errors in the construction of this legislation. How do I know that? Because it always happens. My colleague from Stormont, Dundas and Glengarry knows exactly why I'm saying this. You have a government. They rush in with a huge bill. They then rush in with a huge series of amendments. They don't know what's in them; the minister doesn't have a clue as to what they're all about.

They've all been drafted by someone else. She wouldn't know what's in any of that material. She wouldn't even have seen it. She hasn't read it any more than I have. She doesn't know what's in it, one way or the other. It was clear today she didn't know what was there and what wasn't there. We got a package of amendments on Friday. Then we get another package today which amends the amendments they gave us on Friday.

Don't pretend over there that this is somehow some all-seeing and all-knowing process. As someone once said, you don't want to know how people make laws any more than you want to know how people make sausages. That is exactly what we're seeing today with this.

Mr Bradley: Who said that, anyway?

Mr Rae: I think it was Jim Bradley who said that, though I don't know whether he's a sausage eater or not. I have no idea.

But this is what I mean: As a process this truly stinks. It really stinks. Let's face it. You have a government

which is driven by an ideology which has got nothing to do with the facts. It has nothing to do with what's really going on. You have companies which have practical experience saying: "Don't go so fast. We're not quite sure what this is all about."

We're hearing from people in the private sector who say: "Why do I need all this aggravation about decertification? I want to know who I'm dealing with from day to day. I don't want to have the contracts blown up every five days. I don't want to have conflict going on in the workforce. I don't want to have tension taking place in the workplace. I want to have a secure, knowledgeable, highly trained workforce."

This is where this government has such a silly attitude towards the modern workforce and what's going on. They talk about democracy. We're all in favour of democracy. It would be great to see more elections for boards of directors. I mean, talk about democratic. You want to talk democracy? We could have lots of democracy going around. A lot of democracy would be required. It might even catch on.

But what we need here is a reality test. Just as the reality test over photo-radar will be, in a year's time, whether the number of accidents and deaths has gone up or gone down, the reality test for this legislation will be, over time, whether the amount of conflict and harm has gone up or gone down. That's the test, not ideology, not "I don't like this because I don't like it."

I mentioned the example of photo-radar because anecdotally—and we'll find out the facts over time—I'm convinced that highway speed on the sections of the 401 that were covered by photo-radar has gone up. I would love to see the reports from the OPP, because I talk a great deal to OPP officers, and I would love to see their reports dealing with their experience and their views.

Similarly, the test of this legislation is going to be the real experience on the ground, in the factories, of what is happening: How many grievances do we have? How many days lost to strikes do we have? How much productivity has increased or decreased and whether in fact the climate and the attitude of those engaged in labour relations is made easier or harder. That is going to be the test.

I'm prepared to live by that test. I'm prepared to say to members opposite that we will be looking hard at the experience in the next while to see what changes need to be brought in in 1998 and 1999, when we form the next government.

Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs): Does Jim Bradley agree with that? That's the question.

Mr Rae: Look, stranger things have happened. In fact a stranger thing did happen: You got in.

Laughter.

Mr Rae: My colleagues in the Liberal Party who are laughing, you laughed at us in the early 1980s as well. Things happen.

What I would say to you is this: We have a piece of legislation which is brought in for reasons of ideology.

We have a piece of legislation, as has been so eloquently described by my colleague the member for Nickel Belt, which is going to increase the amount of conflict and increase the amount of harm. We have legislation which is not going to produce a more constructive and positive atmosphere in the workplace. That is why we are opposed to it, not because of any particular ideology on my part.

Experience, I think, teaches us that unions contribute to productivity; that unions contribute to a better wage structure; that unions permit a greater equality in terms of relationships in the workplace; that they allow a democracy, because they allow for advocacy and the resolution of grievances; and that in fact they are a good expression of democracy and a good expression of people having their rights and using their rights and taking advantage of their democratic rights within the workplace. This is the experience of the Ontario people.

To me, it is a great pity, indeed it's a tragedy that we have not been able to take advantage of the positive climate that has been produced over the last several years. I regret it. I think this government has missed an opportunity to take advantage of a group of people who want to be partners. If you treat people like partners, they will respond like partners; if you treat people like outsiders, they will respond like outsiders. That is exactly what you are doing to the labour movement. The minister doesn't understand this, the cabinet doesn't understand it, the Tory caucus doesn't understand it, but I think ultimately the people of Ontario will understand it.

2000

Mr Dwight Duncan (Windsor-Walkerville): It is with a certain amount of sorrow that I rise today to speak briefly about what has happened and what is going to happen.

The government has proceeded, in our view, too far and too fast in terms of its amendments to the Labour Relations Act and the Crown Employees Collective Bargaining Act, CECBA. We believe that the proper role for government is to be an honest broker in labour relations. Labour must be recognized as a partner in growth. In Ontario we have an educated, skilled and experienced workforce and that workforce has given us productivity and growth and led to new investment in Ontario.

The steps this government has taken, both substantively in the content of the bill and also in terms of process, in terms of jamming it down our throats and into law in Ontario, has left us with both bad public policy and a dangerously flawed statute that this government will have to debate again in the none-too-distant future.

We in this party believe that workers ought to be treated as equals in the economy. We in this party are opposed to the use of scabs. We believe that the amount of violence on the shop floor will increase. We believe that the consequences of this bill will be felt for many, many years to come and that the government went far beyond the repeal of Bill 40. As the leader of the third party said, it takes us back to a time long, long ago, when it wasn't uncommon for the governments of the day to try and break unions or prevent them from coming into our province.

Indeed, it was my predecessor from the riding of Windsor-Walkerville, the Honourable David Croll, who resigned from a former cabinet when his Premier sent in the OPP to break heads. He said, "I would rather walk with the workers than ride with General Motors." I proudly join him and my party proudly joins him and the thousands of workers in this province who continue to march to this day.

This step backwards in time is, in our view, the first mistake this government has made. It won't be the last. They will regret it. They are sowing the seeds of a recession. Declines in productivity will lead to declines in investment and job growth. We too will be vigilant in seeing what the consequences of this statute are and we will speak strongly in the months and years ahead about this mistake.

When the government has to open the Labour Relations Amendment Act again—and it will, probably fairly soon—we will be there to address the problems that it has created by the way it has conducted itself today in forcing closure and attempting to deal with 63 amendments in the span of two hours without any public hearings. We're appalled by their actions. I'm proud to be voting against Bill 7.

Mr Bruce Crozier (Essex South): I just want to speak briefly to those portions of the act that involve agriculture. I'm pleased that the definition of "agriculture" and its exclusion from this act are included under schedule A, subsection 1(1).

But I am concerned that a group like the Ontario Federation of Agriculture would have written to the minister recently, and I'm quoting from the letter: "In regards to specific provisions under Bill 7 related to agriculture, LICC"—which is Labour Issues Coordinating Committee—"supports the wording of the agriculture definition that will be incorporated into the Ontario Labour Relations Act." But they recommend "that a similar definition of horticulture be included. This would ensure the full range of horticultural operations," that it would be defined within the horticultural exemption. Unfortunately, the government has chosen not to put that definition in.

In addition to that, the Ontario Federation of Agriculture remains concerned about the long-term implications of Bill 7 to our industry. As you know, prior to the last government's labour reform initiatives, the union movement had attempted to challenge the agricultural exclusion under the Charter of Rights and Freedoms. The issue was addressed by legislation and therefore the challenge was not pursued. It is reasonable to expect that unions may again seek to test the validity of the agricultural exclusion under the charter, and the OFA trusts that the government, having restored the original agricultural exclusion, will be committed to participate fully in the defense if this becomes necessary.

We heard a lot today from the Premier earlier saying the public should be consulted and listened to and we've heard that the government should be open, but I'm afraid in this instance they've decided not to listen to agriculture, and for that I'm sorry.

Finally, I do want to point out that we did support sections 77 and 78, the exclusion of agriculture, because

we really do feel that agriculture is its own special industry, that there is a time when the crop is ready, and that time is when it should be taken off and it shouldn't be delayed by any labour strike.

In general, I will not be supporting this bill, because it is so flawed; because today there have been so many amendments made by the government on such short notice, which is an indication of how flawed it is. I would hope that there are others in this House, even some on the other side, who might consider what a poor piece of legislation this is.

Mr Dominic Agostino (Hamilton East): I rise with my colleagues in opposition to Bill 7. Bill 7, in our view, is the absolutely worst message that can be sent out at a time when this province needs balance, when this province needs harmony in the workplace, when this province needs cooperation between workers and employers. Trust and harmony between management and workers will be destroyed. This bill in my view will discourage, not encourage, investment in Ontario. This radical approach does not help create the kind of positive environment we need for business to invest and grow in Ontario.

Bill 7 sends out a wrong message. It sends out a message that in Ontario we're willing to sacrifice the most fundamental principle that is sought after by trade unions worldwide, and that is the principle and the right to withdraw services without the fear of having replacement workers come in and take their jobs.

How do we have balance when we have a situation where all the rights are given to one side and not the other? This fundamental right is very important and is a great loss to all organized labour.

Many members have spoken to the effects that Bill 7 has on labour in general. I want to speak briefly to the impact it is going to have on the construction industry, an industry that is hurting in this province.

Hon Norman W. Sterling (Minister of Consumer and Commercial Relations): Why are you changing your position now?

The Acting Speaker (Ms Marilyn Churley): The member for Carleton, please come to order.

Mr Agostino: Since 1961, Progressive Conservative governments have recognized that the legislation appropriate for manufacturing and other non-construction sectors was not appropriate for the construction industry and that special treatment in the Labour Relations Act was required. This bill has taken all that away. You have failed to recognize the special needs that exist in the construction industry, the short time that is often necessary for certification and the process involved as a result of people being able to enter the industry with little capital and get into workplaces and often undermine and undercut and underbid unionized construction workers.

You are going to encourage that by the change you have made to this bill. Creating artificial barriers to the certification process as it existed prior to Bill 40 is fundamentally unfair interference with the rights of construction workers to bargain collectively, and they will regard it as an all-out assault on unionized construction workers and their employers rather than a misguided

attempt to correct perceived inequities caused by the New Democratic Party government and their bill, in your view.

Bill 7 is the wrong message. Bill 7 is the type of bill that today will cause the same type of perception in this province and across this country that you believe Bill 40 caused when the NDP put it in place a number of years ago.

2010

If you're sincere about trying to restore the balance that you claim is necessary, you're not doing it with Bill 7. Bill 7 is not going to create a level playing field. It will create gross inequities in the workplace. It will cause unrest on the shop floors across this province. It's going to cause violence on the picket lines. It's going to mean that police officers, who have many other more important things to do, have to be there to act as mediators, because of the bill and the changes you have put in place.

If the Minister of Labour thinks this is not going to cause that, I'd like her to stand shoulder to shoulder with the steelworkers in Hamilton or across this province when they're on strike, then let the companies try to bring scabs across that line, because you will now allow that to happen unfettered and you're going to cause total chaos in this province.

Interjection.

Mr Agostino: This government and the minister there, who's yapping away, are going to cause the type of violence that will happen on the picket lines, because when you take away the balance and you take away the right of workers to strike without having replacement workers come in, you're going to encourage exactly what will happen.

Hon Mr Sterling: You encourage it. You take advantage of it, like Gord Wilson.

The Acting Speaker: The member for Carleton, please come to order.

Mr Agostino: Prosperity and stability will be destroyed as a result of the action of this government, and you will regret this bill. You will regret the way you've put it through. Workers across this province, unionized and non-unionized—you're going to pay the price on election day.

Mrs Sandra Pupatello (Windsor-Sandwich): It's a sad day for us to be here, to speak to Bill 7 and its being rammed through the House in such a manner.

Interjection.

The Acting Speaker: The member for Mississauga South is not in her seat and is out of order.

Mrs Pupatello: In fact, I think it's likely one thing that's going to start business realizing that they perhaps shouldn't have been so supportive of this government.

What matters most to investors is the perception of business opportunity. What matters most to business is that the business opportunity actually exists.

Bill 40 needed to be balanced. That was clear. There was a perception that Bill 40 left the balance out of sync and was weighted too heavily towards labour. We believe that a compromise was required.

I spoke with business people in my home town and talked to them about what they truly think, now that

they'll see the repealing of Bill 40 in its entirety. I asked them, "What is it that matters most to you in terms of what government inflicts on business?" They said, "What matters to me is the bottom line." What truly matters to business is the bottom line. What really matters is lower tax rates, specifically lower corporate tax rates. They believe in things like investment tax credits. They think that governments should let business make more money.

One company, during Bill 40's implementation, did move its next expansion to the US. We thought it was likely because of Bill 40, and I spoke with him and asked him if that was the case. He said Bill 40 was only part of it. In fact, Indiana was offering very attractive incentives to bring business to their state. That's really what drove business from Ontario to a state.

Now that this is happening and Bill 7 is coming in, this company in particular is expanding, but back in Ontario again. I said, "Is this because Bill 40 is being repealed?" He said, "No, it's because the Canadian dollar versus the American makes it much more attractive to be here." Even this government couldn't take advantage or say that you really influenced the Canadian dollar.

You see, what I've got to tell you is that government has so many ways to be of interest to business and ways to improve their bottom line. I think attacking labour won't do it. Surely, so many of us know in the House that labour is only one part of what makes business work, perhaps one fifth of all the components that are required in a successful business.

This government should be spending more time streamlining the administration business is forced to cope with. Perhaps they should be targeting corporate tax rates, much like the Liberal position during the campaign. Perhaps they ought to be improving trade opportunities with the rest of the world. Unlike the NDP government that closed down 17 trade offices around the world in June 1994, instead we should be looking to other markets, seeing how the rest of the world does business and following suit. We certainly don't see the Minister of Economic Development, Trade and Tourism standing up and proclaiming all the wonderful things he's doing for business in Ontario.

So I've got to tell you, the introduction of Bill 7 indeed creates havoc in the workplace—less productivity, not more. This government's own numbers will show that provincial revenues are down \$500 million, perhaps \$750 million, and that's only in the first five months of government. Bill 7 won't help you increase your provincial revenues. It won't bring you any closer to balancing your budget.

We've seen the public response to what you're doing with Bill 7, and I've got to tell you that a very large sector of the public—that is, the working people of Ontario—is not pleased. The majority of the people out there want compromise, and that's what this government should have been prepared to look at—at least consider a compromise.

I too would like to quote a member from Windsor, David Croll, the Minister of Public Welfare, Labour and Municipal Affairs in 1937 at the height of the Oshawa strike. It was interesting that he should say: "In my

official capacity I have travelled the middle of the road, but now that you have put the extreme alternative to me, my place is marching with the workers."

I want to tell you that business and labour leaders can find a workable solution, they can find a compromise, but the reality is that you didn't even ask them to do that.

The Acting Speaker: Further debate?

Mr Rick Bartolucci (Sudbury): Sadly, labour relations in Sudbury have gone through many tumultuous times. One only has to visit the Mine Mill Hall in Sudbury to see the photos of past strikes lining the halls to gain an appreciation of the difficult times that labour has had in Sudbury. I'm fearful that with what this government has done today, we've returned to those very dark days.

This legislation is flawed and has been flawed from its very inception. In the preamble, the Minister of Labour states, "Bill 7 reforms will restore balance to labour-management relationships."

Let me give you a few personal observations within my own riding. Two weeks ago, after the introduction of this bill, Dave Campbell, president of Local 6500 of the United Steelworkers of America, quit the Sudbury Regional Development Corp because of Bill 7. Last Thursday a consumer boycott of businesses which support the Harris agenda was announced by the Sudbury and District Labour Council. On Friday, Rolly Gauthier, president of the Mine Mill United Auto Workers, Local 598, along with Local 6500 of the United Steelworkers of America, urged Inco and Falconbridge employees to withhold the spending of nickel bonuses on businesses supporting Bill 7.

Union leaders within Sudbury and from all over the province predict a return to picket line violence because of Bill 7. Bill 7 does not move labour relations ahead but in fact is regressive and destroys the relationship between labour and management. Ontario needed a balanced approach to labour relations; Bill 7 doesn't provide for that. It does nothing to spur on the economy. What it is designed to do is to empower the government with the ability to throw thousands of people out of work.

This dramatic swing to the right serves only to alienate labour by excluding them from the political process. This is a knee-jerk response to the previous government's ignorance of management and it is no solution to the current imbalance in labour relations.

Tonight, we are witnessing a government that is driven by an experiment drafted by a few corporate interests that is intentionally antagonizing labour. Make no mistake; this current government's agenda is narrow in focus and ideologically based. What we needed was an end product that would provide for job creation. Bill 7 doesn't do it.

Ontario doesn't need a return or the inception of Tennessee-style labour legislation for economic renewal and job growth to proceed. The deliberate—and it is deliberate—provocation of labour in this province by the current government will only serve to destabilize the economy in a time of fragile economic growth.

We should all understand that the relationship between labour and management does not have to be confrontat-

ional and it does not have to be negative. This dynamic, if brokered by a government with the right intentions, should provide an economic environment conducive to economic growth and prosperity. If brokered by a government that will listen to both labour and management in an effort to arrive at consensus, then, and only then, will we arrive at a balance in labour relations that is conducive to job creation and economic growth. And Bill 7 doesn't do it.

2020

What this province needs from this government are ideas on creating jobs and economic growth and not on the implementation of a theory that involves deliberately provoking labour with regressive components of a bill designed to kick sand in the face of labour. I want to make it very clear that this bill will not restore the balance to labour relations in this province. It is more than evident with this bill that common sense has clearly taken a back seat to ideology.

Bill 7 goes beyond the simple repeal of Bill 40. This government is using the repeal of Bill 40 to inflict damage on the gains made by labour over the past 50 years. This ideological assault on labour invites a return to the kind of picket line violence that the people of my riding, Sudbury, thought was behind them. This government clearly does not recognize the price to be paid for such ideologically based labour relation experiments.

The price will be paid in the very near future and it will be in the form of lost cooperation, lost man-hours, lost production, lost opportunities and lost profits. This price will be paid by all Ontarians.

Mr John Gerretsen (Kingston and The Islands): I too rise to basically condemn the government with this action. The minister asked a few minutes ago as to what we Liberals believe in. Well, I'll tell you, Minister, we believe in consensus, we believe in reason and we believe—

Mr Derwyn Shea (High Park-Swansea): Read the red book.

Interjections.

The Acting Speaker: The member for Carleton, order please. Speak directly to the Chair, please.

Mr Gerretsen: We believe in an approach where there's a true balance between labour and management, and it certainly isn't in this bill.

Now I wanted to just address not the merits of the bill or the demerits of the bill but rather the process in which it's done. I understand that there are something like 70 to 75 new members like myself in the House and I'd like to echo something that the members for Prescott and Russell and Yorkview—did I get that right?—said earlier today. We were asked to vote today and to deal with 69 amendments that were brought in at 2 o'clock this afternoon that only three people apparently have ever seen, and that's the minister and the two critics.

Well, coming from a municipal background, where I was involved for 16 years, I can't ever remember voting on anything when at least everybody didn't have a chance to take a look at the documentation that the council may have dealt with at any one particular time.

Then they gave us two hours—two hours—to deal with the matter in committee of the whole.

Mr Chris Stockwell (Etobicoke West): It happens all the time.

The Acting Speaker: Order, please.

Mr Gerretsen: I don't know, Madam Speaker, whether or not you timed the length of time that it took the Chair to mumble the agreed-upon amendments that were passed, but it took him exactly an hour and 20 minutes. Now you tell me about democracy. Is it democracy to give in effect two hours to speak about a matter when it takes an hour and 20 minutes just to sort of mumble through all the stuff that basically we're asked to deal with?

Tonight is Halloween, as we all know, and the trick and the treat is really on the Ontario taxpayer. The goblins, unfortunately, are all on the other side there.

The Acting Speaker: Would the member please take his seat just for a moment. Please take your seat just for a moment. Point of privilege, the member for Carleton.

Hon Mr Sterling: On a point of privilege, Madam Speaker: I don't want to take up time, but there are quite a few aspersions going on here.

Interjections.

The Acting Speaker: Order, please.

Hon Mr Sterling: I just wanted to congratulate the speaker on his Halloween costume this evening.

Mr Gerretsen: Well, thank you very much. It almost looks as if you and I went to the same tailor, and that's not saying a heck of a lot.

Anyway, I'd like to refer to something that the member for Nepean said the other day, which I found absolutely astounding for a new member in this House. He said: "We put our proposals to the voters and they rendered a clear and unequivocal verdict. We had the largest possible public consultation. We were very clear in our consultations with 10 million people across the province during the 40-day election campaign that this would be done, and we got a resounding vote of confidence as evidenced by the results of the June 8 election."

If he really thinks that an election campaign equates public consultation on a bill that is as major as this, then I would just say that he's sadly lacking in his whole notion of public consultation.

There were a total of 244 promises set out in the so-called Common Sense Revolution—or nonsense revolution, the way I like to refer to it. Is the member suggesting that every one of the persons who voted for the Conservative Party was in total agreement with the 244 promises put in there? I would suggest that perhaps, and it may be very difficult to understand for some of the members, some of them may even have been elected on their own merits. I know they find that extremely hard to understand, but some of them may actually have been elected on their own merits.

Mr Baird: I like this guy. I'd vote for him over Conway.

Mr Gerretsen: Is that right? Okay.

The Acting Speaker: Would the member address the Chair, please; just the Chair.

Mr Gerretsen: If you follow his logic to a common-sense conclusion, only 45% of the people of Ontario voted for the Conservatives.

Interjection: If it had been a referendum, they would have lost.

Mr Gerretsen: That's right, they would have lost it. Now, by the reasoning that he used, 55% of the people voted against the Common Sense Revolution, and he should really do the honourable thing and at least take the position that, "Yes, we were elected to form the government, but obviously the people did not agree with the nonsense that's in the Common Sense Revolution."

There's one other thing and then I'll sit down and get back to the merits of the bill. It's the process that I'm concerned about more than anything else, and that is the fallacy that has been perpetrated in this House on a number of occasions. Whenever the issue's been raised, they just basically say, "Look, all Bill 7 does is repeal Bill 40," which is absolute nonsense. Read your own propaganda. You talked about the repeal of Bill 40, and we all know that this current bill, with the thousands of amendments that were brought in today, deals with much more than Bill 40.

In any event, we would do all well in the future to think about how this is viewed by the public at large. Maybe they don't care. I like to differ with that. I would think that before members in this House voted on anything, at least they'd be provided with the information so that we could all make an intelligent decision on the amendments that are brought before us.

Ms Annamarie Castrilli (Downsview): Sadly, I rise today to speak on Bill 7 with a great deal of apprehension for the future of this province. The legislation introduced in this chamber confirms the worst fears of fairminded Ontarians. This legislation risks upsetting the very fragile balance between employers and employees that has been built over many years and is fundamental to a thriving economy.

This legislation, disguised as a tool for economic recovery, is anything but. It will in fact make a difficult recovery even more difficult.

I won't outline all the provisions of the legislation and its difficulties for working people. I will, however, point out that this bill continues with the Conservative agenda of polarizing people in Ontario. Far from creating a better working environment, this bill seeks to give rights to one group at the expense of another. Rather than focus on consensus in the workplace, it seeks confrontation, and rather than stress fairness, it seeks to browbeat the workers of this province. At a time when we desperately need wise leadership to spur economic recovery, we are given ideology rather than ideas and righteousness rather than rights.

2030

For the last five years in Ontario, we've had to tolerate an NDP government that ignored the needs and concerns and rights of employers. Now Ontario is faced with enduring a Conservative rule in which the needs and concerns and rights of the working people of this province are not only ignored but in fact attacked. The third

party has paid a high price for catering to the extreme. I suggest to you that you have not yet learned anything from the previous government.

Ontario needs a government that reaches out to its people through consensus, public participation and equity. Unfortunately, we find ourselves governed by a party that appears to believe in none of these principles.

There are three important points on which I'd like to focus attention today.

First, it is self-evident to all but the government that any bill with broad social implications such as this one ought to be the result of a thorough, comprehensive process of public input that specifically brings employees and employers together in an effort to develop recommendations based on balance and fairness.

Instead, the government chose to avoid public input and stakeholder participation in favour of an authoritarian fast-track. Even some of Ontario's largest employers, including McDonnell Douglas and Chrysler Canada, are calling upon the government to move more slowly on labour law changes and to pursue consultation with both employer and employee groups.

The government's decision to invoke closure is not only inappropriate for such an important bill, but a repudiation of the Tory government's commitment to public and parliamentary participation. Only with thorough, full, frank and open discussion will we avoid conflict and disruption.

Second, the bill's treatment of key parts of the service sector is completely unreasonable. The narrowing of successor rights are particularly a problem when building owners change contractors for cleaning, food and security services. The new regulations eliminate the obligations of a new contractor to offer employment to the previous contractor's employees.

Allowing binding agreements to be discarded simply encourages a downward trend in wages in an already poorly paid sector. Consequently, we are likely to see employment being offered below subsistence levels. This represents a cruel attack on an employment sector that is already generally low-paid, with few benefits, and is often dominated by women. This action will surely lead to reduced job security and continued suppression of wages for an already vulnerable group.

Third, after a thorough reading of the legislation, it becomes clear that the government's intentions go well beyond simply undoing the damage of Bill 40. In fact, the government is laying the groundwork for mass privatization of the public sector through the exemption of the crown from the application of successor rights. This highly inflammatory act is no doubt causing great grief among public sector employees. Moreover, the government is nowhere setting guidelines as to what will happen through privatization and what rules it will apply, a reality which is causing a great amount of uncertainty and animosity.

In conclusion, this bill goes far beyond the repeal of Bill 40. This bill is a shame, the process is a sham, and I will gladly vote against the bill.

Mr Mario Sergio (Yorkview): I wish to add my comments with respect to the bill being presented by the

government. It is unfortunate that we have to rush in 40 minutes when we should have had perhaps 40 days and debated it in a very democratic forum.

Hon Marilyn Mushinski (Minister of Citizenship, Culture and Recreation): Forty days?

Mr Sergio: Forty days; yes. It's one of the very important and most undemocratic bills that this House perhaps ever has or ever will introduce.

It does two particular things, this bill, two very fundamental things. It gives the power, the money the big corporations already had, gives them to be judge and jury, and gives them the right to decertify unions at will.

The other thing it does is to remove the fundamental democratic rights that employees, workers had over the last half century.

Mr Speaker, we are not the only ones saying that. You read the papers as well, and it says that your bill, as presented, goes well before the pre-NDP era. Can you imagine the damage this bill will do? It removes every right the workers have accomplished over the last half-century. You have removed it, even to the unknowledgeable situation of your members.

If there's one particular thing this bill does, it will not create jobs, it will not create confidence in the workplace, it will not create confidence in the labour people, in the unions. If they don't create jobs, they won't create income for this particular government.

I really do hope that before this bill becomes final, you will be giving it a second, sober thought with the people out there in mind. You and I will have to face those people out there, and when they knock on your door crying that their rights have been totally eliminated, I wonder what you will be answering those people.

I will leave the last couple of minutes to my colleague. I really hope you give this a second, sober thought for the welfare of your people and our people when the time comes.

Mr Mike Colle (Oakwood): I think it's appropriate that Bill 7 is having its third reading on Halloween night, because this is real trick on the people of Ontario. Here's 676 pages of a landmark piece of legislation that's going to change labour relations in Ontario for decades, and it's put on our table at 2 o'clock today.

Mr Pat Hoy (Essex-Kent): You guys didn't even get out for your own vote. You missed the vote already. How many of you know what's in it?

Mr Colle: Would you be quiet for a second?

If they did this at Metro council or Scarborough council, they would throw us right out of the council chamber. We took more time to pass the erection of a stop sign. If we installed a stop sign, we would invite the public in to discuss the stop sign. If we added a new bus route, we would ask people to come in. But here it is, 676 pages, and what do they say? "You've got four minutes to talk about it." Our critic has about an hour to look at it.

You know what this really shows? It shows the arrogance of this government, the pure arrogance. You think that on June 8 you got a blank cheque to do

whatever you want. People will not forget your arrogance. You're pretty cocky now and you're riding high. They think they've got it all today and they can ram these things down the throats of the people of Ontario. They think they're pretty cavalier, as Mr Snobelen says, but people are going to remember that this government did not even take the time to listen to people, to ask them to come to Queen's Park, even for a day, for public hearings.

They said: "We know everything. The Common Sense Revolution is our dogma. We have no time for the public. We don't care what you think. Mike Harris tells us what to think and when Mike Harris tells us to vote"—even on the agricultural portion of this bill, the Minister of Agriculture didn't even stand up. We had to tell him to stand up.

This is a very dangerous and ominous precedent. This is not the way you govern in Canada. You don't govern by decree; you listen to the people. They're going to pay the price for this. They're going to pay for their arrogance. People do not tolerate arrogance and they're going to remember the arrogance of this government. On Halloween night, they're going to remember, the people of Ontario were not allowed to participate in this legislation.

2040

Hon Elizabeth Witmer (Minister of Labour): I am pleased to have the opportunity to speak to the third reading of Bill 7, An Act to restore balance and stability to labour relations and to promote economic prosperity. However, I think it's imperative that we make the opposition aware of a piece of information which I believe has been missing from the discussion today.

They indicated that they got a copy of this and they'd never seen it. If you haven't seen it, that means you have never read Bill 7, because this is Bill 7 in clause-by-clause form, broken out page by page. If you had read Bill 7, which was given to you on October 4, you would have known that these are the same. There's nothing new and there's nothing different. The only addition you have received was the fact that you got a package of 63 amendments.

I guess my other disappointment is the fact that no one took the time to go through Bill 7. Unfortunately, we've seen no amendments brought forward by either party. I'm quite surprised that has happened.

As members know, this legislation is designed to revitalize Ontario's economy, create new jobs and enhance and promote individual rights in the workplace. These changes are absolutely necessary if Ontario is to attract new business. Already firms, whether large or small, whether domestic or foreign, have signalled to us since the introduction of the bill on October 4 that they are committed to invest and create jobs since we are restoring balance to our labour relation laws.

Many of us have received telephone calls and letters indicating very, very strong support for Bill 7. In the past few weeks, we have also heard from many groups and individuals who have proposed changes to Bill 7 to make it more workable and practical. I know they also spoke to

members of the opposition, because they told us so. I guess that's why I'm so disappointed that no amendments were brought forward by the other side of the House.

Following the input we received from people—union, union leaders, union lawyers, management lawyers, management groups and individuals—we introduced today a number of amendments, and these amendments reflect the result of meetings and consultations we've had. I believe that the changes here today reflect our desire to listen and that they will make Bill 7 a stronger initiative for balance and for prosperity and, in the end, make it a much more workable law.

As I said, Bill 7 consists of five key components that will benefit both workers and employers. The repeal of the bill will restore the delicate balance to labour relations. The repeal is being coupled with amendments aimed at enhancing the individual rights of workers and increasing democracy in the workplace. Many workers have indicated to us their support for our amendments. In fact, I know at one time there were members on the other side of the House who also indicated their support for these types of democratic amendments.

Under Bill 7, Ontario workers will continue to have the same basic right to organize and bargain collectively that they have had for the past half century. However, our amendments will ensure that they have more democratic options in making one of the most important decisions of their working lives, and that is the decision whether or not to be represented by a trade union.

Under Bill 7, a secret ballot vote will be required for union certifications, as well as most contract ratifications, strike votes and decertification. This secret ballot vote for certification will bring our province in line with Alberta, Nova Scotia and Newfoundland, where the right to secret ballot representation votes is already in place.

As a result of the amendments that we introduced today and as a result of meetings we have had with the construction sector, strike and ratification votes will not be required in the construction sector. We recognize that the construction industry is unique and we have taken that into consideration today, and we appreciate the discussions we were able to have with the groups that came forward.

Bill 7 also rewords the purpose clause. Under Bill 40, the purpose clause of the act was dramatically changed to emphasize union certification and collective bargaining. This elevated the interest of trade unions above those of all other workplace parties, including the rights of the individuals.

Under our reforms, the purpose clause is being rewritten to recognize the importance of flexibility, productivity and the need to create an economic environment that benefits both workers and employers in this province. In other words, what we are doing in our purpose clause is formally recognizing that workplace cooperation and job creation are the defining characteristics of labour relations in Ontario.

With these amendments, the Labour Relations Act will return to playing a very constructive role in our economy. It will provide the balanced laws and regulations that will

enhance the individual rights of workers and promote harmony.

In addition to the proposals I have just outlined, Bill 7 also makes major changes to other labour acts. Bill 7 repeals in its entirety Bill 91, the NDP Agricultural Labour Relations Act. Bill 7 also makes changes to the legislation overseeing the government's labour relations with its unionized employees. The changes here reflect the repeal of Bill 40 and will allow the government to fulfil its commitment to create a more efficient, cost-effective Ontario public service.

I have heard from both workers and employers who are looking forward to a better business climate in Ontario, which of course means more jobs for workers, and who are also looking forward to stronger democratic rights in the workplace.

They say this bill will be the impetus for many positive changes, and we've already seen that with the announcement of new job creation, new investment and new renovations and additions to existing business. This bill will make Ontario more competitive in the global market and invite the investment, the growth and the new job creation.

I am proud today to introduce third reading debate on this bill for our party. I would urge members to take the vital step to a brighter future for this province and for the people in our province by passing Bill 7 into law later today.

2050

Hon Mr Villeneuve: May I also take a few moments to participate in the third reading of Bill 7: the repeal of Bills 40 and 91. Particularly in the repeal of Bill 40, I'm a little bit at a loss to understand why the Liberals are adamant in supporting the maintaining of Bill 40, yet the repeal of Bill 91.

My colleague the member for Cornwall asked a question the other day regarding the St Lawrence parks and the parks that are closed. He would know well that most of those parks were closed in the time of the Liberal regime, and the reason why they cannot be reopened under the private sector is because of the particular situation in Bill 40 which does not allow the private sector to take over. Successor rights are the problem. I was somewhat disappointed to see that the Liberals are supporting this bill, yet wanting to reopen the parks, because successor rights are the major problem in reopening the St Lawrence parks.

So it's a dilemma, I'm sure, for the Liberals. They want to see Bill 91 disappear, they want to retain Bill 40, yet they want to open the parks. I don't know; you can't have it three ways. That is part of the problem and the dilemma that's facing the official opposition in this Legislature.

In agriculture, a very unique-type industry, its success is governed by the considerations of timeliness and climate. You cannot have labour negotiations interfere with that. Ontario labour is currently experiencing the major problems that are faced by our farmers: They have to be competitive. Just like our governments they cannot be spending more than indeed the traffic will bear,

because farmers are the kind of people who buy wholesale and sell retail. So Bill 91 increases the labour charges to meet that objective.

In developing Bill 7 we met with farm groups. I had the opportunity of meeting with quite a number of farm groups, including the Labour Issues Coordinating Committee, a network of 14 major farm groups dealing with farm labour issues. The committee members told us that they supported the repeal of Bill 91 and that they wanted a stronger agricultural exemption, and that was previously present in the Labour Relations Act. We have responded.

In Bill 7, not only is agriculture exempt from collective bargaining, but we have included a very comprehensive definition of "agriculture." The definition, as I said in second reading, "includes farming in all its branches, including dairying, beekeeping, aquaculture, the raising of livestock including non-traditional livestock, fur-bearing animals and poultry, the production, cultivation, growing and harvesting of agricultural commodities, including eggs, maple products, mushrooms and tobacco, and any practices performed as an integral part of an agricultural operation...."

This very broad definition will provide clear direction to the Ontario Labour Relations Board in agricultural disputes and ensure that all types of agricultural operations are protected by the exclusion from the farm labour relations act. It provides farmers with the clarity and direction that they've been looking for. They do not want bureaucrats to dictate to them how they should be dealing with their employees. I can tell you that if communications break down between the farmer and his employees, there is no legislation coming from Queen's Park or coming from Parliament Hill or coming from anywhere that will solve the problem.

Upon royal assent to Bill 7, all proceedings in process under Bill 91, including any arbitration, mediation or matters before the Ontario Labour Relations Board, will be terminated. Any collective agreement in place under Bill 91 will also be terminated upon royal assent. There will be no legal recourse to strike activities under Bill 7 since agriculture is then going to be exempt from the Labour Relations Act. Work stoppages can be part of existing labour-management discussions, but because Bill 7 contains no means for organizing the family farm, strike action is not possible.

In the Christian Farmers Federation of Ontario survey, 63% of the respondents to the CFFO survey conducted at the Outdoor Farm Show in September supported the repeal of Bill 91; 22% wanted some kind of amendment. So in total, of those who answered the Christian Farmers Federation of Ontario questionnaire, 85% wanted changes or a repeal of Bill 91.

Many other letters that I've received, particularly from mushroom producers, are telling us: "You must repeal Bill 91. We do not need labour legislation to involve the production of food in Ontario."

I will release to my colleagues to further participate in the debate, but we must—and the message is clear from rural Ontario—repeal Bills 40 and 91, and Bill 7 does that.

Mr Bob Wood (London South): As many members of this House know, I am a strong supporter of the Common Sense Revolution, and the bill before us today is an important part of the implementation of that plan.

In particular, I would like to speak to the proposed changes to the Crown Employees Collective Bargaining Act. There are several amendments proposed to CECBA and the Public Service Act, some of which the Chair of Management Board has already addressed as the employer. I would like to elaborate further on the proposed changes and how they will help the provincial government meet its commitment to reduce the cost and size of government.

Some of the changes to CECBA are necessary in order for the Ontario public service and crown agencies to parallel the amendments proposed under Bill 7, as CECBA is the statute that governs labour relations in these groups. These amendments are needed so that labour laws applying to the public service are in line with the changes proposed under the repeal of Bill 40. Other changes we are proposing, however, are aimed at providing the government with the flexibility it needs to meet its restructuring commitment.

The current legislation restrains the government's ability to restructure the Ontario public service. The proposed amendments to CECBA will reduce these barriers and give the government the flexibility it needs to be more efficient. It will help us meet promises to reduce the size of government and make government more efficient and effective for the people of Ontario. Exempting the crown from the application of successor rights, for example, will increase the government's flexibility to restructure the OPS.

It is important to note, however, that nothing in the proposed amendments fundamentally alters the collective bargaining rights of most Ontario government employees. Unions will continue to be able to organize, bargain and arbitrate grievances. Under the proposed amendments, Ontario public service employees, except essential service providers, will continue to have the right to strike.

On the question of essential services agreements, those that have already been negotiated will remain until a collective agreement is in place. New essential services agreements will then be negotiated to be consistent with the new CECBA legislation.

Among the other amendments proposed under CECBA is a reduction in the authority of the grievance settlement board. This would give greater control over dispute resolution to those involved and means the board's power would be similar to the Ontario Labour Relations Board.

2100

A further amendment will eliminate a freeze on changing the terms and conditions of employment for essential service and emergency workers during work stoppages. In addition, as part of the proposed changes, we seek to amend the Public Service Act so that employees not covered by collective agreements can be released with reasonable notice or compensation instead of notice. This is the same as the arrangement in the private sector.

Under the proposed amendments, positions that are not covered by CECBA will broaden. Newly excluded are employees whose work includes significant time raising or borrowing money or otherwise managing the provincial finances or debt. Also excluded will be strategic policy advisers who give advice on employment-related legislation or on matters of financial policy. Employees in the Office of the Premier and cabinet office will also be excluded.

Collectively, these amendments will give the government a more flexible environment in which it can deliver the services that governments should be providing to the people of Ontario in the most cost-effective and efficient manner.

Mr Joseph Spina (Brampton North): It's my pleasure to get up today to speak in favour of the introduction of Bill 7. Since I joined the Ministry of Economic Development, Trade and Tourism as the parliamentary assistant responsible for small business, I have visited and spoken to many small businesses. Repeatedly I have been told by the owners that they could hire more people and create more jobs if government would stop interfering in their everyday lives with the shackles of socialistic regulations.

At this time I would focus my speech on two key areas of Bill 7, namely, the new purpose clause and the elimination of the replacement worker ban.

The new purpose clause encourages the promotion of harmonious labour relations. It recognizes the importance of flexibility, productivity and the need to create an economic environment that benefits both the workers and the employers. This reflects the intention of our government's labour law reforms to encourage investment and create jobs.

One of the many things I cannot understand about socialist parties revolves around job creation. For some reason they believe business is evil and out to undermine workers' rights. But business creates jobs. Without jobs the people of this province have no rights to fight for.

We all understand the key to balanced labour relations and the empowerment of workers. We've heard the rhetoric from the NDP and the Liberals about how the Tories are in the back pockets of Bay Street. This is clearly not the case. I fail to see any reference, allusion or endorsement of Bay Street anywhere in Bill 7.

Clearly, our government intends to restore the delicate balance between the rights and the obligations of employers, employees and unions, a balance that will tell potential investors and small business hopefuls that Ontario is once again open for business. Also, by implementing Bill 7 our government is saying to everyone in this province that we are committed to creating jobs and more jobs.

Since the introduction of Bill 40, many employers reported that it was an impediment to conducting business in Ontario. Many businesses argued that restrictions on replacement workers undermined supply chains that operate on a just-in-time basis. These employers were especially vulnerable during strikes, as were companies that depended upon struck suppliers.

The members of this House must realize that by putting supply chains at risk and putting the entire production process on hold, they are costing business an enormous amount of money. If money is continuously spent, much like in the past 10 years of this government, then the result is more layoffs, more unemployment, and surely this is not the scenario that working people in this province prefer.

In conclusion, as a small business person I can tell this House that my party and I are committed to encouraging the development of small business and entrepreneurship in Ontario. Small business is the cornerstone of our economy. It is the engine of growth and the engine of job creation.

Mr Ted Chudleigh (Halton North): I'm proud and honoured to direct my comments in the House today in support of this government's act to restore balance and stability to labour relations and promote economic prosperity.

Let me first convey what this government legislation stands for. This government recognizes what all of us hold to be true in a free and democratic society: the ability and right to choose without fear of reprisal whom we wish to represent us in the governance of our business, free from the pressures of groups or individuals. We have the time-treasured practice passed down to us which guarantees the democratic principles of the secret ballot.

The secret ballot allows individuals to take charge of their deepest thoughts, feelings and convictions and in the most private expression of freedom at hand make a decision that is theirs alone, a decision which is free from the taint of conviction of those opposed to their views. Bill 7 recognizes this fundamental principle of democracy and enshrines this vehicle for worker participation and for their freedom of association in the workplace.

This government believes in the fundamental freedoms addressing individual choice, and for these reasons has through this legislation cemented workplace democracy by requiring secret ballot votes for certification applications, strike votes and contract ratifications. This process has enshrined the rights of all workers in this province, protecting their privacy, respecting their freedom of associations and guaranteeing their fundamental democratic rights.

Further to the enhancement of the greater democracy in the workplace, Bill 7, in its attempt to restore the delicate balance in labour relations in this province, corrects the changes made by the previous government's Bill 40 with respect to regulations governing the combination of full-time and part-time bargaining units.

Prior to Bill 40, in certifying bargaining units, the board usually would place full- and part-time employees in separate units at the request of either party, although in some cases the board would find a single unit to be appropriate for bargaining.

Under the previous government, Bill 40 facilitated the certification of bargaining units containing both full- and part-time employees and the combination of two or more separate bargaining units representing the same union into a single bargaining unit. This was against the interests of

some workers because the needs and goals of part-time workers may differ substantially from those full-time employees. The new Labour Relations Act removes these powers and restores balance by returning to pre-Bill 40 provisions, which I will remind the opposition date back to December 31, 1992.

There are those combination units which, through employers and unions, have requested that the government leave those units untouched that exist effectively under these arrangements. To recognize these situations, the government has developed a number of transitional provisions that will come into effect with royal assent on this bill.

Bargaining units in which both full-time and part-time employees were included under the Bill 40 provisions will remain unchanged unless either party applies to the board within 90 days of enactment. Upon receipt and review of these applications, the board will order separate bargaining units, unless it is satisfied, on a community-of-interest test, that the combination unit is appropriate.

These transitional provisions will ensure that changes are made with due process and consultation of all parties and the least amount of disruption to those interests involved.

This transition also helps restore balance where units are controlled by part-time employees with full-time employees in a minority. It allows workers to consider their options relative to their own situation and decide whether or not the benefits of a combination unit versus a smaller unit focused on their concerns is better able to serve their needs, again restoring individual democracy to the workplace.

In summary, this legislation will benefit all working people in this province. It will restore the principle of democracy in the workplace by requiring a secret ballot vote for certification applications, strike votes and contract ratifications. It will recognize the importance of flexibility, productivity and the need to create an environment which benefits both workers and employees.

It will restore the delicate balance of labour relations in Ontario, and most importantly, it will, for the employers, working people and all citizens of Ontario, help restore hope and economic prosperity to Ontario by encouraging and attracting new business and new jobs and creating new jobs: real jobs, the kind that pay taxes, not depend on them, jobs that were lost under the previous government's legislation that we now have the opportunity to find once again. Ontario is indeed open for business.

2110

Mr Tom Froese (St Catharines-Brock): It is with a true sense of honour and privilege that I rise today to participate in my first debate on the government's labour relations bill. Some of what I say may be a repeat of what other members have said, but they are very important points to repeat.

The purpose of Bill 7 is to introduce workplace democracy, including mandatory secret ballots for union certification, contract ratification and strike votes. In introducing democracy to the workplace, it will also

restore balance and stability between management and labour. First, let me say I agree with the minister when she says that we need to restore balance to labour relations in Ontario if we want to attract new business investment and generate new job opportunities for Ontario workers.

Our proposal for a mandatory secret ballot at times of union certification, ratification and strike votes will strengthen the collective bargaining system. The secret ballot will become the most accurate and democratic way to determine each worker's wishes.

Moreover, in keeping with our desire to strengthen the role of the individual in the decision-making process and enhance democracy in the workplace, we also introduced a labour relations information service to help the workplace parties become informed of their rights and responsibilities under the act.

I support the minister's view that the repeal of the job-killing Bills 40 and 91 will restore the delicate balance between labour and management by making Ontario a more attractive place to invest. Our government is sending a clear message that it is open for business and it's going to deal with business in a fair and equitable manner. Ultimately, workers are going to benefit from increased job opportunities and a new spirit of workplace democracy.

If it turns out not to be the case and workers withhold their labour or rise in anger in the workplace, as the labour groups and activists have been prophesying, it will only prove that workplace policies were in favour of labour and that the delicate balance between labour and management was lacking.

In fact it is the unions' officials who are condoning violence, not the individual working men and women of this province.

CAW president Buzz Hargrove recently said on the subject of union violence post-Bill 40: "I'm not advocating violence. I'm condoning it." He also said, and I quote: "I'm not advocating violence, but I will participate in it. That's my job. I've been doing it for decades." That is not a positive attitude towards bringing back jobs to Ontario. There is no democracy when there is violence. This is not a good climate for negotiation or compromise. We need to create a positive climate for investors that says loud and clear, "Ontario's open for business."

We need to remember that it's the investors who provide the capital. It is investors and management who take the risks. It is investors and managers who provide the jobs. We simply can't lose track of that fact. No investor, no job. And investors need to feel there is peace among their employees.

That is not to say that the balance should go unfairly in the direction of management. All workers who were eligible to organize prior to Bill 40 will have the same rights to organize and collectively bargain. Individual workers will have an enhanced right to make their choices known through the use of secret ballots. In fact, the government has added protection from any employer reprisal due to these workers having exercised their previous rights in collective bargaining. But both the

balance and the stability are accommodated in the legislation.

Mr Len Wood (Cochrane North): It is disgraceful what Mike Harris and the Minister of Labour are doing to this province. It is a disgrace. Shame on them. Mike Harris should resign.

Mr Froese: The change from voluntary to mandatory votes will enhance workplace democracy by ensuring the individual workers can make choices—

Mr Len Wood: Bill 7 will be the destruction of good Conservatives in Ontario, same as the Premier of Quebec is paying the price.

The Speaker (Hon Allan K. McLean): The member for Cochrane North is out of order.

Mr Froese: —on important issues that affect their workplace and livelihood, such as an opportunity for every employee in the bargaining unit, irrespective of their membership, to vote on issues related to certification and collective bargaining.

A vote that is secret: That's the type of opportunity that's crucial. Without it, democracy is not in the workplace. Moreover, it does not make sense.

There has been criticism that the passing of this bill is somewhat undemocratic. That simply is not the case. It's the actions of the NDP that are undemocratic. In fact, they are downright contradictory. On the one hand, they're asking for debate and consultation on Bill 7, and on the other hand, their actions in the House are preventing the very debate and consultation they want.

In effect, the NDP has demonstrated a complete disregard for the democratic will of the people of Ontario by delaying and obstructing the business of the House. The people of Ontario elected this government to bring jobs, investment and economic growth back to the province. There's a strong need to have Bill 7 passed into law without delay in order to get Ontario's economy back on track by attracting investment and creating jobs.

In closing, I would like to say that I'm committed to the principles that were set out in the Common Sense Revolution: to cut spending, to cut the deficit, to cut the size of government, to reduce red tape for business and to reduce the tax burden for working Ontarians.

The reason I'm committed to these principles is that we will provide a positive climate for investment in this province, a climate necessary to bring back prosperity and jobs. I support the Minister of Labour and agree that Bill 7 is the important step towards bringing that climate.

Mr Baird: At the outset, I'd have to mention the appropriateness of this debate concluding on Halloween, a time to get rid of ghosts and Bill 40, the NDP's job-killing labour legislation.

A lot of debate in this House has centred on the motivations of those of us on the government side for proceeding with Bill 7, so I think it's very important that we be clear on our objectives. We're repealing Bill 40 to restore balance to labour relations in Ontario. We're repealing Bill 40 to encourage investment in Ontario. We're repealing Bill 40 to create jobs in this province.

In Ontario, we know only too well that the provincial

government can't create jobs. If our experience over the last 10 years has taught us anything, it's that increased government spending, more government borrowing and more government regulation kills jobs and discourages investment in this province.

While we know that government can't create jobs, we know only too well in this province that government can kill jobs, and Bill 40 was a proven job killer.

Interjection.

The Speaker: The member for Cochrane North is out of order.

Mr Baird: This government wants to do everything, absolutely everything, we can do to foster a positive climate for job creation in Ontario. Labour law reform is a key to the establishment of such a positive climate in Ontario. For 45 years in Ontario, the provincial government worked to create a very delicate balance in labour relations—

Interjection.

The Speaker: The member for Cochrane South is out of order.

Mr Baird: —and it was no coincidence that the creation of that balance saw 45 years of unprecedented economic growth in this province, saw the creation of jobs and hope and opportunity.

Repealing Bill 40, our labour legislation includes measures to encourage workplace democracy. These democratic reforms aren't about helping business or trade unions; they're about empowering individual workers.

The measures contained in Bill 7 include allowing workers the opportunity for a secret ballot on union certifications, decertifications, strike votes and contract ratifications. All of us in this House were elected on secret ballot votes. If we use secret ballots in this House to ensure that every citizen can exercise their individual right to make a free decision, independent from coercion or outside influence, if secret ballot votes are good enough for politicians, they're good enough for workers.

In the last Parliament, it was the Leader of the Opposition who on November 5 argued very strenuously in this House, why didn't the previous government include secret ballot votes in Bill 40? We on this side of the House agree that that should have been included. The Liberals' red book encouraged an information service, a 1-800 number to give workers the information they needed to make a proper decision in labour relations, and we agreed with them in that respect.

But tonight in Ontario we're sending a very important message. Tonight in Ontario we're sending a clear message that the province of Ontario is open for jobs, it's open for investment and it's a balanced labour relations—

The Speaker: The member's time has expired.

Mrs Witmer has moved third reading of Bill 7. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members; it will be a five-minute bell.

The division bells rang from 2121 to 2126.

The Speaker: Mrs Witmer has moved third reading of Bill 7. Those in favour will please rise one at a time until their name is called.

Ayes

Arnott, Ted	Hardeman, Ernie	Ross, Lillian
Baird, John R.	Harnick, Charles	Runciman, Bob
Barrett, Toby	Harris, Michael D.	Sampson, Rob
Bassett, Isabel	Hastings, John	Saunderson, William
Beaubien, Marcel	Hodgson, Chris	Shea, Derwyn
Boushy, Dave	Hudak, Tim	Sheehan, Frank
Brown, Jim	Johnson, Bert	Skarica, Toni
Carroll, Jack	Johnson, David	Smith, Bruce
Chudleigh, Ted	Jordan, Leo	Snobelen, John
Clement, Tony	Kells, Morley	Spina, Joseph
Cunningham, Dianne	Klees, Frank	Sterling, Norman W.
Danford, Harry	Leach, Al	Stewart, R. Gary
Doyle, Ed	Leadston, Gary L.	Stockwell, Chris
Ecker, Janet	Marland, Margaret	Tascona, Joseph N.
Elliott, Brenda	Martiniuk, Gerry	Tilson, David
Eves, Ernie L.	Maves, Bart	Tsubouchi, David H.
Fisher, Barbara	Munro, Julia	Turnbull, David
Flaherty, Jim	Murdoch, Bill	Vankoughnet, Bill
Ford, Douglas B.	Mushinski, Marilyn	Villeneuve, Noble
Fox, Gary	Newman, Dan	Wettlaufer, Wayne
Froese, Tom	O'Toole, John	Wilson, Jim
Galt, Doug	Ouellette, Jerry J.	Witmer, Elizabeth
Gilchrist, Steve	Palladini, Al	Wood, Bob
Grimmett, Bill	Parker, John L.	Young, Terence H.
Guzzo, Garry J.	Rollins, E.J. Douglas	

The Speaker: All those opposed will please rise.

Nays

Agostino, Dominic	Crozier, Bruce	McGuinty, Dalton
Bartolucci, Rick	Duncan, Dwight	McLeod, Lyn
Bisson, Gilles	Gerretsen, John	Miclash, Frank
Boyd, Marion	Grandmaitre, Bernard	Morin, Gilles E.
Bradley, James J.	Gravelle, Michael	Patten, Richard
Brown, Michael A.	Hampton, Howard	Pouliot, Gilles
Castrilli, Annamarie	Hoy, Pat	Pupatello, Sandra
Christopherson, David	Kormos, Peter	Sergio, Mario
Churley, Marilyn	Lalonde, Jean-Marc	Silipo, Tony
Cleary, John C.	Lankin, Frances	Wildman, Bud
Colle, Mike	Laughren, Floyd	Wood, Len
Conway, Sean G.	Marchese, Rosario	
Cooke, David S.	Martel, Shelley	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 74; the nays, 37.

The Speaker: I declare the motion carried. I declare the motion moved as declared in the motion.

The House stands adjourned until tomorrow afternoon at 1:30 of the clock.

The House adjourned at 2132.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Lt Col The Hon / L'hon Henry N.R. Jackman CM, KStJ, BA, LLB, LLD
 Speaker / Président: Hon / L'hon Allan K. McLean
 Clerk / Greffier: Claude L. DesRosiers
 Senior Clerk Assistant and Clerk of Journals / Greffier adjoint principal et Greffier des journaux: Alex D. McFedries
 Clerk Assistant and Clerk of Committees / Greffière adjointe et Greffière des comités: Deborah Deller
 Sergeant at Arms / Sergent d'armes: Thomas Stelling

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma	Wildman, Bud (ND)	Hastings-Peterborough	Danford, Harry (PC)
Algoma-Manitoulin	Brown, Michael A. (L)	High Park-Swansea	Shea, Derwyn (PC)
Beaches-Woodbine	Lankin, Frances (ND)	Huron	Johns, Helen (PC)
Brampton North / -Nord	Spina, Joseph (PC)	Kenora	Miclash, Frank (L)
Brampton South / -Sud	Clement, Tony (PC)	Kingston and The Islands / Kingston et Les Îles	Gerretsen, John (L)
Brant-Haldimand	Preston, Peter L. (PC)	Kitchener	Wettlaufer, Wayne (PC)
Brantford	Johnson, Ron (PC)	Kitchener-Wilmot	Leadston, Gary L. (PC)
Bruce	Fisher, Barb (PC)	Lake Nipigon / Lac-Nipigon	Pouliot, Gilles (ND)
Burlington South / -Sud	Jackson, Hon / L'hon Cameron (PC) Minister without Portfolio (Workers' Compensation Board) / ministre sans portefeuille, ministre responsable de la Commission des accidents du travail	Lambton	Beaubien, Marcel (PC)
Cambridge	Martiniuk, Gerry (PC)	Lanark-Renfrew	Jordan, Leo (PC)
Carleton	Sterling, Hon / L'hon Norman W. (PC) Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce	Lawrence	Cordiano, Joseph (L)
Carleton East / -Est	Morin, Gilles E. (L)	Leeds-Grenville	Runciman, Hon / L'hon Robert W. (PC) Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels
Chatham-Kent	Carroll, Jack (PC)	Lincoln	Sheehan, Frank (PC)
Cochrane North / -Nord	Wood, Len (ND)	London Centre / -Centre	Boyd, Marion (ND)
Cochrane South / -Sud	Bisson, Gilles (ND)	London North / -Nord	Cunningham, Hon / L'hon Dianne (PC) Minister of Intergovernmental Affairs, minister responsible for women's issues / ministre des Affaires intergouvernementales, ministre déléguée à la Condition féminine
Cornwall	Cleary, John C. (L)	London South / -Sud	Wood, Bob (PC)
Don Mills	Johnson, Hon / L'hon David (PC) Chair of the Management Board of Cabinet / président du Conseil de gestion	Markham	Tsubouchi, Hon / L'hon David H. (PC) Minister of Community and Social Services / ministre des Services sociaux et communautaires
Dovercourt	Silipo, Tony (ND)	Middlesex	Smith, Bruce (PC)
Downsview	Castrilli, Annamarie (L)	Mississauga East / -Est	DeFaria, Carl (PC)
Dufferin-Peel	Tilson, David (PC)	Mississauga North / -Nord	Snobelen, Hon / L'hon John (PC) Minister of Education and Training / ministère de l'Éducation et de la Formation
Durham Centre / -Centre	Flaherty, Jim (PC)	Mississauga South / -Sud	Marland, Margaret (PC)
Durham East / -Est	O'Toole, John R. (PC)	Mississauga West / -Ouest	Sampson, Rob (PC)
Durham West / -Ouest	Ecker, Janet (PC)	Muskoka-Georgian Bay / Muskoka-Baie-Georgienne	Grimmett, Bill (PC)
Durham-York	Munro, Julia (PC)	Nepean	Baird, John R. (PC)
Eglinton	Saunderson, Hon / L'hon William (PC) Minister of Economic Development, Trade and Tourism / ministre du Développement économique, du Commerce et du Tourisme	Niagara Falls	Maves, Bart (PC)
Elgin	North, Peter (Ind)	Niagara South / -Sud	Hudak, Tim (PC)
Essex-Kent	Hoy, Pat (L)	Nickel Belt	Laughren, Floyd (ND)
Essex South / -Sud	Crozier, Bruce (L)	Nipissing	Harris, Hon / L'hon Michael D. (PC) Premier and President of the Executive Council / premier ministre et président du Conseil exécutif
Etobicoke-Humber	Ford, Douglas B. (PC)	Norfolk	Barrett, Toby (PC)
Etobicoke-Lakeshore	Kells, Morley (PC)	Northumberland	Galt, Doug (PC)
Etobicoke-Rexdale	Hastings, John (PC)	Oakville South / -Sud	Carr, Gary (PC)
Etobicoke West / -Ouest	Stockwell, Chris (PC)	Oakwood	Colle, Mike (L)
Fort William	McLeod, Lyn (L) Leader of the Opposition / chef de l'opposition	Oriole	Caplan, Elinor (L)
Fort York	Marchese, Rosario (ND)	Oshawa	Ouellette, Jerry J. (PC)
Frontenac-Addington	Vankoughnet, Bill (PC)	Ottawa Centre / -Centre	Patten, Richard (L)
Grey-Owen Sound	Murdoch, Bill (PC)	Ottawa East / -Est	Grandmaître, Bernard (L)
Guelph	Elliott, Hon / L'hon Brenda (PC) Minister of Environment and Energy / ministre de l'Environnement et de l'Énergie	Ottawa-Rideau	Guzzo, Garry J. (PC)
Halton Centre / -Centre	Young, Terence H. (PC)	Ottawa South / -Sud	McGuinty, Dalton (L)
Halton North / -Nord	Chudleigh, Ted (PC)	Ottawa West / -Ouest	Chiarelli, Robert (L)
Hamilton Centre / -Centre	Christopherson, David (ND)	Oxford	Hardeman, Ernie (PC)
Hamilton East / -Est	Agostino, Dominic (L)	Parkdale	Ruprecht, Tony (L)
Hamilton Mountain	Pettit, Trevor (PC)		
Hamilton West / -Ouest	Ross, Lillian (PC)		

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Parry Sound	Eves, Hon / L'hon Ernie L. (PC) Deputy Premier, Minister of Finance, government House leader / vice-premier ministre, ministre des Finances, leader parlementaire du gouvernement	Scarborough North / -Nord	Curling, Alvin (L)
Perth	Johnson, Bert (PC)	Scarborough West / -Ouest	Brown, Jim (PC)
Peterborough	Stewart, R. Gary (PC)	Simcoe Centre / -Centre	Tascona, Joseph N. (PC)
Port Arthur	Gravelle, Michael (L)	Simcoe East / -Est	McLean, Hon / L'hon Allan K. (PC) Speaker / Président
Prescott and Russell / Prescott et Russell	Lalonde, Jean-Marc (L)	Simcoe West / -Ouest	Wilson, Hon / L'hon Jim (PC) Minister of Health / ministre de la Santé
Prince Edward-Lennox- South Hastings / Prince Edward-Lennox- Hastings-Sud	Fox, Gary (PC)	Sudbury	Bartolucci, Rick (L)
Quinte	Rollins, E.J. Douglas (PC)	Sudbury East / -Est	Martel, Shelley (ND)
Rainy River	Hampton, Howard (ND)	Timiskaming	Ramsay, David (L)
Renfrew North / -Nord	Conway, Sean G. (L)	Victoria-Haliburton	Hodgson, Hon / L'hon Chris (PC) Minister of Natural Resources, Minister of Northern Development and Mines / ministre des Richesses naturelles, ministre du Développement du Nord et des Mines
Riverdale	Churley, Marilyn (ND)	Waterloo North / -Nord	Witmer, Hon / L'hon Elizabeth (PC) Minister of Labour / ministre du Travail
S-D-G & East Grenville / S-D-G et Grenville-Est	Villeneuve, Hon / L'hon Noble (PC) Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales, ministre délégué aux Affaires francophones	Welland-Thorold	Kormos, Peter (ND)
St Andrew-St Patrick	Bassett, Isabel (PC)	Wellington	Arnott, Ted (PC)
St Catharines	Bradley, James J. (L)	Wentworth East / -Est	Doyle, Ed (PC)
St Catharines-Brock	Froese, Tom (PC)	Wentworth North / -Nord	Skarica, Toni (PC)
St George-St David	Leach, Hon / L'hon Al (PC) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement	Willowdale	Harnick, Hon / L'hon Charles (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Samia	Boushy, Dave (PC)	Wilson Heights	Kwinter, Monte (L)
Sault Ste Marie / Sault-Sainte-Marie	Martin, Tony (ND)	Windsor-Riverside	Cooke, David S. (ND)
Scarborough-Agincourt	Phillips, Gerry (L)	Windsor-Sandwich	Pupatello, Sandra (L)
Scarborough Centre / -Centre	Newman, Dan (PC)	Windsor-Walkerville	Duncan, Dwight (L)
Scarborough East / -Est	Gilchrist, Steve (PC)	York Centre / -Centre	Palladini, Hon / L'hon Al (PC) Minister of Transportation / ministre des Transports
Scarborough-Ellesmere	Mushinski, Hon / L'hon Marilyn (PC) Minister of Citizenship, Culture and Recreation / ministre des Affaires civiques, de la Culture et des Loisirs	York East / -Est	Parker, John L. (PC)
		York Mills	Turnbull, David (PC)
		York-Mackenzie	Klees, Frank (PC)
		York South / -Sud	Rae, Bob (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
		Yorkview	Sergio, Mario (L)

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

CONTENTS

Tuesday 31 October 1995

MEMBERS' STATEMENTS

Yee Hong Community Wellness Foundation	
Mr Curling	533
Nursing homes	
Mr Len Wood	533
Hamilton Chefs Fighting Hunger	
Mrs Ross	533
Social assistance	
Mr Sergio	533
Labour legislation	
Mr Christopherson	534
Oktoberfest	
Mr Wettlaufer	534
Highway 17	
Mr Miclash	534
Municipal finances	
Ms Martel	535
Condominiums	
Mr Ford	535

STATEMENTS BY THE MINISTRY AND RESPONSES

National unity	
Mr Harris	535
Mrs McLeod	536
Mr Rae	537

ORAL QUESTIONS

Social assistance	
Mrs McLeod	537
Mr Tsubouchi	537
Rent regulation	
Mrs McLeod	538
Mr Leach	538
Labour legislation	
Mr Rae	539
Mrs Witmer	539
Long-term care	
Mr Laughren	540
Mr Wilson	540
Vehicle safety	
Mr Colle	540
Mr Palladini	541
Closure of Fort Frances Jail	
Mr Hampton	541
Mr Runciman	541
Development charges	
Mr Stewart	542
Mr Leach	542

Children's nutrition

Mrs Papatello	542
Mr Snobelen	542
Nursing homes	
Mr Len Wood	542
Mr Wilson	543
Agricultural industry	
Mr Fox	543
Mr Villeneuve	543
Ministry adviser	
Mr Chiarelli	543
Mr Tsubouchi	543
Court facility	
Mr Cooke	544
Mr David Johnson	544
Immigrants' skills	
Mr Ron Johnson	544
Ms Mushinski	545
Highway safety	
Mr Gravelle	545
Mr Palladini	545
Heritage languages	
Mr Silipo	545
Mr Snobelen	546

MOTIONS

Order of business	
Mr Eves	546
Agreed to	546

COMMITTEE OF THE WHOLE HOUSE	
Labour Relations and Employment Statute Law Amendment Act, 1995, Bill 7,	
<i>Mrs Witmer</i>	547
Mr Duncan	547
Mr Bisson	548
Mr Kormos	550
Mr Bradley	552
Mr Christopherson	552
Ms Churley	554
Mr Len Wood	559
Mr Lalonde	560
Mr Sergio	560
Mr Arnott	561
Ms Martel	562
Report adopted	577

THIRD READINGS

Labour Relations and Employment Statute Law Amendment Act, 1995, Bill 7, <i>Mrs Witmer</i>	
Mr Laughren	577
Mr Rae	579
Mr Duncan	583
Mr Crozier	583
Mr Agostino	584
Mrs Papatello	584
Mr Bartolucci	585
Mr Gerretsen	586
Ms Castrilli	587
Mr Sergio	588
Mr Colle	588
Mrs Witmer	588
Mr Villeneuve	589
Mr Bob Wood	590
Mr Spina	591
Mr Chudleigh	591
Mr Froese	592
Mr Baird	593
Agreed to	594

OTHER BUSINESS

Notice of dissatisfaction	
Mrs McLeod	538

TABLE DES MATIÈRES

Mardi 31 octobre 1995

DÉCLARATIONS MINISTÉRIELLES ET RÉPONSES

Unité nationale	
M ^{me} McLeod	536
M. Rae	537

TROISIÈME LECTURE

Loi de 1995 modifiant des lois en ce qui concerne les relations de travail et l'emploi, projet de loi 7,	
<i>M^{me} Witmer</i>	
Adoptée	594

A20N
X1
-D23

Government
Publications



No. 20

N° 20

ISSN 1180-2987

Legislative Assembly of Ontario

First Session, 36th Parliament

Assemblée législative de l'Ontario

Première session, 36^e législature

Official Report of Debates (Hansard)

Journal des débats (Hansard)

Wednesday 1 November 1995

Mercredi 1^{er} novembre 1995



Speaker
Honourable Allan K. McLean

Président
L'honorable Allan K. McLean

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

Hansard on your computer

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. For a brochure describing the service, call 416-325-3942.

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-7411.

Subscriptions

Subscription information may be obtained from: Sessional Subscription Service, Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur votre ordinateur

Le Journal des débats et d'autres documents de l'Assemblée législative pourront paraître sur l'écran de votre ordinateur personnel en quelques heures seulement après la séance. Pour obtenir une brochure décrivant le service, téléphoner au 416-325-3942.

Renseignements sur l'Index

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-7411.

Abonnements

Pour les abonnements, veuillez prendre contact avec le Service d'abonnement parlementaire, Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311 ou, sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 1 November 1995

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 1^{er} novembre 1995

The House met at 1333.

Prayers.

MEMBERS' STATEMENTS VETERANS' HIGHWAY

Mr Dalton McGuinty (Ottawa South): I want to raise an issue that has particular relevance as we approach Remembrance Day. I believe that our collective memory of the wars that touched Canada is weakening and must be strengthened by everyday reminders. Without these reminders, the generations of Canadians alive today, to say nothing of future generations, will fail to appreciate and understand the wartime sacrifices made by our Canadian veterans.

I have a proposal which I feel will help Ontarians preserve their memory of our past wars and the price we paid. I am proposing that the Minister of Transportation name Highway 416, the most important roadway leading to the nation's capital, the Canadian Veterans' Memorial Parkway/Promenade commémorative des anciens combattants canadiens.

This simple gesture will honour our veterans, and for the many who travel this route this name will act as a reminder of a vital part of our history and of the sacrifices made by previous generations of Canadians.

I have obtained support for my proposal from countless veterans' organizations, including the National Council of Veteran Associations in Canada representing over 250,000 Canadian veterans.

If we do not take real steps to remember the devastating impact that wars have had on Canada, we remain in danger of forgetting the lessons to be learned and the terrible price we paid. My proposal to name a highway in honour of our veterans will, at least in some small way, help us to remember.

NATIONAL UNITY

Mr Peter Kormos (Welland-Thorold): We, along with Canadians from east to west, throughout the territories, witnessed an extremely historic and significant point in the development of this great country on Monday past. I want to speak very specifically to this House about the people in Welland-Thorold and their response to what indeed was a crisis for this country and certainly for Ontarians across this great province.

Some 18%-plus of the residents of the city of Welland are francophones, many, if not most of them, with direct roots in the province of Quebec, and most of those same people with family and friends and colleagues in the province of Quebec.

As well as that significant and important francophone constituency, Welland and Thorold are communities of immigrants, people who have witnessed the breakdown and breakup and destruction of their own countries of

origin and have come here to this country and this province prepared to be nation-builders.

I suspect that people in Welland-Thorold were representative of all Ontarians in their great commitment to the process which developed over the course of the last several weeks, in their perseverance in impressing upon friends and relatives and colleagues in the province of Quebec that the people of Quebec are truly a part of this country, and are truly sisters and brothers of Ontarians and residents of every other province.

I want to congratulate those great people of Welland and Thorold.

SMALL BUSINESS

Mr Dan Newman (Scarborough Centre): I rise today to recognize the excellent work the city of Scarborough is undertaking in order to support and promote small business in Scarborough.

Last week, the city of Scarborough held its annual Small Business Symposium, and I was pleased to be able to attend the opening ceremonies with my colleagues the member for Brampton North and parliamentary assistant to the Minister of Economic Development, Trade and Tourism, Mr Joe Spina, and the member for Scarborough East, Mr Steve Gilchrist.

It has been clear to economists for some time now that the small and medium-sized business sector is the engine that drives job creation in our province. The vital role that these businesses play in our economy is well recognized and accepted.

Why, then, did the previous two governments pay only lip-service to the importance of these businesses while they pursued an agenda which made it almost impossible for small business to start, to grow, to compete and to show a profit? The small business community was drowned by taxes, fees, regulations and paperwork, and now this government must clean up the mess and shed Ontario's image of being an oppressive and hostile environment for businesses to live in.

That is why our government committed itself in the Common Sense Revolution to open up Ontario for business once again by eliminating the employer health tax on small businesses that stifled job creation, by eliminating red tape that smothers business, by freezing Ontario Hydro rates, by reducing Workers' Compensation Board premiums and by repealing the NDP's job-killing labour legislation, Bill 40.

That is our commitment: to ensure that we are a government that creates the climate for small business that it needs to create jobs. That is why it is small business that creates jobs, not government.

GOVERNMENT'S AGENDA

Mrs Sandra Pupatello (Windsor-Sandwich): I must go on record today for the people of Windsor-Sandwich

in denouncing this government's priority list. With our provincial revenues going down the drain—by the Tories' own numbers, our revenues are down \$500 million to \$750 million in this time frame alone—what have we done in the House so far? We've repealed Bill 40. Today we're going to start talking about the repealing of the Employment Equity Act. I've got to ask these people, what does this have to do with jobs? What does it have to do with creating fertile ground for jobs?

We're trying to talk about what's going to create investment in Ontario. If only this government would work with equal fervour on those issues, some real incentive for business to say, "I think I should hire more people." This government has everyone in retreat, looking out for themselves; in true description, an armoured cocoon.

I urge this government to reconsider its priorities. Save your ideology for your Conservative fund-raising dinners. I'm looking for real work through the Minister of Economic Development and Trade. I'd like to see some work and I urge you to reconsider your priorities.

1340

CHILD CARE

Mr Rosario Marchese (Fort York): A week ago Monday, I invited parents and child care workers in my riding to a meeting to discuss the crisis in child care that is the direct result of this government's draconian cuts to social programs.

Interjections.

The Speaker (Hon Allan K. McLean): Order. The member for Windsor-Walkerville is out of order. The member for Fort York has the floor.

Mr Marchese: Although the meeting was arranged at short notice and was not widely publicized, over 220 parents and child care workers showed up. These people are desperate about the consequences if funding for regulated, non-profit child care in Ontario is cut.

I'm not going to tell you the heartbreaking stories I heard from single mothers who will be forced on to welfare if they lose their day care space. Instead, I'm going to tell you what parents and child care workers told me, that it's common sense to provide funding for regulated child care because it makes economic sense.

Working parents whose children are in regulated day care are more productive, effective employees because they don't have to worry about the kind of care their children are receiving. Quality child care reduces absenteeism and makes business more competitive.

Furthermore, children in regulated child care get off to a head start because they are challenged and stimulated. They learn social skills because they have a chance to interact with other children in a creative environment. Stable, regulated child care pays off later in improved school performance, fewer behavioural problems and lower dropout rates.

In the long run, cutting funding for non-profit, regulated child care will result in a less skilled, less productive, less competitive workforce. Is this common sense or nonsense?

BIRTHING UNIT

Mrs Barbara Fisher (Bruce): It is my privilege to congratulate the County of Bruce General Hospital in Walkerton on the opening of its new birthing unit. The official opening took place Friday, October 20, and many members of the community celebrated by visiting the new facility.

The funding for the centre was provided by the hospital foundation. Research and professional expertise for this project were provided by a team of nurses, who studied birthing facilities in Toronto, as well as by local midwives and physicians who support midwifery.

I extend my warmest congratulations to Joanne McKee, the head of nursing at the birthing centre; to Maurice Donnelly, the chair of the hospital board; and to Tracey Culbert, the first mom to enjoy the comforts of the birthing unit.

Women who plan to have their babies at the County of Bruce General Hospital can now look forward to a more comforting environment to experience the birth of their children. Mothers will experience labour, delivery and recovery in the same suite. The baby will remain with the mother until discharge from hospital. Fathers are encouraged to be present and offer support throughout the entire birth.

Although this government does not support stand-alone birthing units, the initiative and insight that the County of Bruce General Hospital has shown by providing a birthing centre within its existing facilities is to be commended. Theirs is an example to be followed by other hospitals with similar goals.

MAGNETIC RESONANCE IMAGER

Mr James J. Bradley (St Catharines): The long, exhausting struggle incurred by the residents of the Niagara region in their efforts to have a CAT scanner located in the Niagara region is still a vivid memory for most local residents.

The previous government announced that it would expand the number of MRIs, high-tech diagnostic devices that act like enhanced X-ray machines, in Ontario from 12 to 34, including five more for the planning region that encompasses the Niagara region.

I trust that the government will not involve itself in any unnecessary delays in overseeing the implementation of this resource in the Niagara region, given the dire need for it in the area as well as the preparations that have already been made in anticipation of its arrival.

The St Catharines General Hospital has already drawn up blueprints for the planning and installation of an MRI machine and has actively pursued and hired staff based on their expertise in the field of MRI radiology.

Given the crucial role that MRI technology plays in the diagnosis of soft-tissue ailments related to the brain, central nervous system and other difficult orthopaedic cases, it is unacceptable that we currently have one MRI machine servicing a designated area of over 1.4 million people.

This current arrangement has produced undue hardships on those who have been in need of these kinds of diagnostic treatments. Patients in the Niagara area have

been forced to incur great financial hardships through the purchasing of this treatment in the United States or enduring the long and painful waiting periods for treatment here in Ontario.

I call on the Ontario government to act in a caring and expeditious manner.

TEDDY BEAR DAY CARE

Ms Shelley Martel (Sudbury East): I want to make the Premier aware of another organization in Sudbury East which has fallen victim to the funding cuts of this Tory government.

The First Baptist Church Teddy Bear Day Care is a non-profit child care centre located in Garson, Ontario. It opened in November 1993 with a licensed capacity of 39 spaces. At present, it has 51 spaces, a staff of nine, and is the only centre available in the community to respond to parental needs.

Teddy Bear Day Care is in jeopardy because the Tories have withdrawn 100% provincial funding of Jobs Ontario child care spaces. The increased cost to the regional municipality of Sudbury to fund the 166 spaces involved at 100% is \$209,000 annually.

The region has applied to the Ministry of Community and Social Services for special one-time funding, as they were encouraged to do by the Minister of Municipal Affairs and Housing, but they have not received a reply or any money. As a result, the region has advised Teddy Bear and four other centres that regional funding cannot continue past December 31, 1995. It will be impossible for parents to pick up the 20% loss in revenue and the centre will have to close.

The parents believe that if the Premier would only visit Teddy Bear Day Care, he would understand why it would have to be kept open. They're inviting him to do that when he's in Sudbury on November 24. Since they can't afford to pay \$125 a plate to attend the fund-raiser the Premier is at, they're hoping he will come to them. I am inviting him today and will send the invitation to him forthwith.

WIFE ASSAULT PREVENTION MONTH

Mrs Julia Munro (Durham-York): November is Wife Assault Prevention Month in Ontario, a time when Ontarians stress the issue of domestic violence against women.

Violence in all its forms is a tragic reality that faces far too many women. A 1993 Statistics Canada survey indicated at least 50% of Canadian women can expect to be victims of physical or sexual assault at some point in their lives. Almost 60% are afraid to venture out alone in their own communities.

Clearly, we must find new ways of working together to achieve our common goals: prevention of crime and safety of our communities.

This marks the 10th year Ontario has named a month to recognize and address the issue of wife assault. Campaign themes have evolved over time, with early strategies attempting to bring what was then a taboo subject out into the open. Later campaigns increased public understanding of the issue, underscoring that wife assault is a criminal act.

Last year's campaign focused on community responsibility, and everyone was encouraged to speak out and act to end violence against women. This year, we build on that idea of community responsibility by asking everyone—friends, family, coworkers and neighbours—to contribute to solving this social problem.

DECORUM IN CHAMBER

The Speaker (Hon Allan K. McLean): I would like to inform all members that on a daily basis my office is getting phone calls and letters with regard to decorum in this Legislature, and I would ask all honourable members to realize that.

VISITOR

The Speaker (Hon Allan K. McLean): We have a special guest in the gallery today, a former cabinet minister, Mr Richard Allen from Hamilton West. Welcome.

STATEMENTS BY THE MINISTRY AND RESPONSES

WORKERS' COMPENSATION BOARD

Hon Elizabeth Witmer (Minister of Labour): Later this afternoon, I will introduce a bill which represents the first part of a two-stage initiative to completely overhaul Ontario's financially troubled Workers' Compensation Board.

The reforms which we are introducing today have two fundamental objectives. The first is to change the governance and accountability structure of the WCB. The second objective is to put the system back on a sound financial footing to protect the future needs of injured workers. These reforms will set the stage for further comprehensive reform by our government next spring based on the results of the work being done by the Minister without Portfolio for workers' compensation reform.

We are acting now because the board is on the brink of a financial crisis. The board has an unfunded liability of \$11.4 billion. This has skyrocketed in 10 years from \$2.7 billion. The unfunded liability calls into question the long-term financial viability of the board and its ability to provide future benefits to injured workers. No other workers' compensation board in the country has an unfunded liability that comes anywhere near the size of Ontario's. Workers in this province and all Ontarians deserve better.

1350

On top of that, Ontario employers already pay the second-highest premiums for workers' compensation in Canada. These excessive rates are a major barrier to job creation, new investment and growth in the province. Prospective investors are well aware of the high cost of workers' compensation in Ontario and the possibility of even higher costs if we don't overhaul the system.

Despite the high premiums, the WCB has also been dipping into its long-term reserves for the past few years to meet its yearly operating expenses. This practice is putting the future needs of injured workers at further risk. It should be noted that injured workers also experience excessive delays when they file their claims, and we must improve service delivery at the board.

Finally, entitlement to benefits has become open-ended, again putting the whole system in jeopardy. The WCB has moved too far from its original mandate as a workplace accident insurance plan. We must, as Manitoba, New Brunswick, Alberta and other provinces have done and are doing, regain control of our workers' compensation system.

Despite the mounting crisis, little has been done in our province to tackle the problems. In large part this is because the governance structure is broken. The bipartite approach introduced by the previous government has paralysed constructive decision-making on a range of crucial administrative, policy and financial issues. One example is the non-implementation of a financial improvement package that would have resulted in a saving of \$400 million.

The government cannot let this situation continue. We will ensure the long-term financial health of the system, we will eliminate the board's unfunded liability by the year 2014 and we will return the board to its original concept as a workplace accident insurance plan.

The reforms that I'm introducing later today will begin the process to restore sound management to the board. The bill amends the act to clear the way for a multistakeholder board of directors. The new governance structure will provide for stronger leadership, more effective decision-making and wider representation on the board to include not only employers and employees but also those from the medical and insurance professions, just to name a few.

Until a new board is established, the WCB will be run by the president. Recruitment is under way for a new president who will have the mandate to overhaul the operations of the WCB. Until that process is completed, Kenneth Copeland will remain as the interim WCB president.

The accountability of the WCB will be strengthened through some major changes which ensure that the government has a greater presence in the system. The changes that I will introduce today also ensure the financial accountability and that those measures will be applied to all parts of the system. They will require external value-for-money audits that will ensure that the board's programs and operations are efficient, effective and financially sound.

Our amendments include measures to stem the loss of revenue owed to the WCB, strengthen anti-fraud measures and eliminate abuses of the system. This will help ensure that there are sufficient funds to cover the legitimate claims of injured workers.

The changes I am introducing will begin the overhaul needed to put the board on a sound financial footing. As a result, the board will be well positioned to implement the second stage of the government's WCB reform next year. Work on the second stage is already under way.

My colleague the Minister without Portfolio responsible for Workers' Compensation Board reform, Cam Jackson, is now undertaking a major review of the Ontario workers' compensation system. When his review is completed next spring, it will provide the comprehen-

sive financial package that will stabilize the system over the long term and wipe out the board's unfunded liability.

Mr Jackson is reviewing the current system for compensating long-term permanent disabilities, the existing adjudication and appeals structure, and alternative approaches to delivering the services. The package will also include measures to address our commitments on benefit levels, waiting period, entitlement and assessment rates.

Today we are moving ahead carefully and deliberately to fix the many problems facing the board. We do not want to repeat the mistakes of the past. Our reforms will be sustainable and lead to long-term stability. Our consultations to date reinforce our view that quick fixes or further experimentation won't work.

The changes that I'm bringing today are just the beginning. They are, however, crucial to launching the process of restoring the long-term financial viability of the Workers' Compensation Board and making the system work more effectively for both workers and employers in this province.

Mr Alvin Curling (Scarborough North): Mr Speaker, I'm just seeking unanimous consent that Cam Jackson, the parliamentary assistant, could add his comment to this very important topic.

Interjections: Agreed.

Hon Cameron Jackson (Minister without Portfolio [Workers' Compensation Board]): It would have been a lot longer.

The Speaker (Hon Allan K. McLean): Responses. The member for Windsor-Walkerville.

Mr Dwight Duncan (Windsor-Walkerville): Well, here we go, Mr Speaker.

Change. They talk about change. Let's talk about governance for a moment. There's less here than meets the eye. From a government that promised change, today we get more of the same.

Take, for example, the new board of directors. Sure, there'll be representation from labour and management, but you don't specify how many; it doesn't provide for equal representation.

More importantly, they're still going to do it by order in council. They promised to end the system of patronage at the WCB. This bill enshrines the old Tory proverb: It's not what you know, it's who you know. I guess your friends all got to you. Shame on you.

On accountability: Somehow the minister thinks that simply amending the purpose clause will eliminate decades of incompetence and mismanagement at the board. Life is only that simple in the Common Sense Revolution.

The minister talks about value-for-money audits. Minister, these value-for-money audits ought to be public documents, and I suggest that it ought to be the Legislature that determines where those audits will happen and not the government.

The act says the Minister of Labour may determine which program will be reviewed. Again I say to you, it

ought to be the Legislature that reviews which program will be reviewed.

What about fraud and abuse? Minister, your initiative today does nothing to strengthen it. Your initiative today is nothing but window dressing. It won't reduce fraud one bit, and the government knows it.

All they're doing today is enshrining in the act what the WCB is already doing; a policy that's been in existence at the WCB for many years. Minister, you have no real solutions. You're not even going to set up a 1-800 line like you've done in so many other instances.

I never want to hear another Tory whine about WCB fraud ever again, because when they had the chance to do something they failed to deliver the goods. From this day forward, every single penny of fraud and waste and abuse will be on this minister's head.

1400

Finally, on health and safety: Last week I asked the minister whether she was washing her hands of responsibility for enforcing the Occupational Health and Safety Act, and the minister wouldn't rule it out. Minister, today we see why. Today you lay the groundwork for moving health and safety inspectors from the Ministry of Labour to the WCB. Minister, the workers of this province need to know that they'll still be protected by your inspectors if they end up in the swamp of the WCB.

Then there's what the minister didn't say. You promised to reduce WCB premiums by 5%. There's been no action. You said you were going to deal with the unfunded liability. How? Again, no action. You said you wouldn't appoint senior management through patronage. This legislation enshrines it.

Finally, I ask the government, who's in charge? Who's in charge? In the minister's Alexander Haig statement in July she said she was in charge. In her August 28 letter, she said again that she was in charge. Today her parliamentary assistant said that Minister Jackson's in charge. Who's in charge over there? Who's really responsible? Who's really responsible for the WCB? Who is it? Clearly, we have a two-headed monster that's going in different directions, neither one of them willing to take real responsibility.

More broken promises. Like their health care promise not to cut spending; they broke that promise. Not getting a magnetic resonance imager for St Catharines; they broke that promise. Not delivering 10% of casino profits; they broke that promise. Cancelling the Hamilton courthouse; they broke that promise. Broken promises, every one of them. How many more are there going to be? You'll all be held accountable some day.

My community waits and listens for real and meaningful WCB reform. When will it come? We're all waiting for that. In this day and age, we need a government that will keep its word, that when it says it will do something, it does it. You've all failed miserably, and what you've done is put this province into ruin and you'll pay for it. Shame on you. Shame on all of you.

Mr David Christopherson (Hamilton Centre): I would begin by first of all saying that—

Interjections.

The Speaker: Order.

Mr Christopherson: Do the Tory backbenches want to just calm down a bit and give us at least a moment to comment? I mean, you jammed through your legislation yesterday. At least give us a chance to comment on your new piece of anti-worker legislation today.

I want to begin by first of all saying that I disagree somewhat with my colleague from the Liberal caucus, to the extent that he believes this is not much of a bill and doesn't change much. The fact of the matter is that it does hold a fundamental shift that's important to workers in this province, and the fundamental shift is, we're moving away from a board that has equal representation of employers and workers, back to the multi-stakeholder board that was in effect for decades, and in fact that was the model that got us into all this trouble in terms of the unfunded liability.

You never gave a chance to the new board because you don't like that model. You don't like the idea that workers would have that much say in what's important to them, and you've proven that—

Mr David Tilson (Dufferin-Peel): Tell us about your—

The Speaker: The member for Dufferin-Peel is out of order.

Mr Christopherson: You've proven that when you folded up the Workplace Health and Safety Agency, which, coincidentally, had the same model: Half of it was employers and half of it was employees. You don't like that. You don't want workers or employees to have any say, any influence. You want to go back to the days where you and your cronies ran everything, and we saw last night, when you rammed through Bill 7, that you're prepared to go to any length, including denying democracy, to make that happen.

I want to comment a little on some of the comments the minister has made about crisis. There's a colleague of the minister's near her, the Minister of Education, who was caught out in the cabinet agenda of creating a false crisis in order to implement their agenda. There's a world of difference between a crisis and a problem. A crisis requires dramatic action, and that's why they need to have the world believe there's a crisis there, rather than recognizing it's a problem, but a problem that can be dealt with and in fact was being dealt with by the board that you're getting to ready to fire.

The fact of the matter is that over the last couple of years, new claim costs have decreased by 8%. Overhead costs have decreased by 8%. The average target assessment rate in 1995 dropped from \$3.34 per \$100 of payroll to \$3. The unfunded liability has decreased. It has decreased from \$11.5 billion to \$11.4 billion—not huge numbers, but going in the right direction. That was always the difference between that government and the previous government, that we were prepared to take the steps necessary and do it in a gradual way that didn't hurt people and destroy communities.

You've taken a course of action, and you show it with every piece of legislation, that you're prepared to hurt people, hurt the poor, hurt families, hurt children, deci-

mate communities, go after the disabled, because you want to make sure you can give that 30% tax cut to your pals. We rejected it before; we reject it again.

The financial improvement package the minister talked about that would have seen the elimination of the unfunded liability by 2014: As I understand it, Minister, and I stand to be corrected, the worker representatives on the board were prepared to support it and they're the very representatives you're going to fire. You want to make sure that the only way to reduce the unfunded liability is on the backs of the disabled. You've shown that with your 5% cut to the disabled; you show it again today, and nobody's fooled.

This is the softening up. The knockout punch of course comes when the minister from Burlington brings in his report, and that's when you'll finish off the patient, except in this case it's going to be hundreds of thousands of working people who have been hurt.

VISITOR

The Speaker (Hon Allan K. McLean): We have another former member in the west gallery, Mr Mike Cooper from the riding of Kitchener-Wilmot.

Mr David S. Cooke (Windsor-Riverside): Mr Speaker, a point of order: I'd like to ask for unanimous consent from the House. Today is the first day of Wife Assault Prevention Month and that has been the tradition in this place for several years, so I'd like to ask for unanimous consent for statements from each of the parties.

The Speaker: Do we have unanimous consent? We do not have unanimous consent.

The leader of the official opposition on a point of order.

Mrs Lyn McLeod (Leader of the Opposition): Before question period begins, on a point of order: We have always, as I understand it, in this Legislature on November 1 recognized Wife Assault Prevention Month. Maybe I should not be surprised that this government was not prepared to come forward, but I am surprised they have not agreed to unanimous consent today to recognize this.

Interjection: A point of order.

The Speaker: There's nothing out of order.

The member for Riverdale on a point of what?

Ms Marilyn Churley (Riverdale): This is what I consider to be a point of privilege. As already stated, it's been traditional in this House on the first day of Wife Assault Prevention Month that members get to speak on this.

The Speaker: No. Order. We have dealt with that point of order, point of privilege.

1410

ORAL QUESTIONS

TAX REDUCTION

Mrs Lyn McLeod (Leader of the Opposition): My first question is for the Minister of Finance. Minister, as you will be aware, the Dominion Bond Rating Service today put out a report analysing the government's fiscal

position and what you need to do to keep the promises that you set out in the Common Sense Revolution.

The Dominion Bond Rating Service says—surprise—that you have underestimated how much you will have to cut in order to keep your promise to cut income taxes by 30%. The Common Sense Revolution, I'm sure you will remember, says that you will need to cut \$6 billion to keep this promise.

The Dominion Bond Rating Service says you underestimated by close to \$4 billion and that indeed you will have to cut closer to \$10 billion, which is just about exactly what our Finance critic has been saying for some time. Even the Premier has admitted that maybe \$6 billion will not be enough.

So my question to the minister is, do you know, Minister, whether \$6 billion will be enough? Can you confirm for me whether or not the assessment of \$6 billion in cuts will not be enough to keep your tax cut promise, and do you agree that your cuts will have to be closer to \$10 billion?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): I have read the Dominion Bond Rating Service report today. They do not say that we have underestimated by \$4 billion; they do say that it could be as much as \$10 billion. There is a difference.

Interjections.

Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs): Oh, it's a big joke for you guys. It's a joke all right.

Hon Mr Eves: The one party this shouldn't be a big joke to is the third party, which, on April 27 of this year, said the deficit would be about \$5.8 billion and it turned out to be \$10.6 billion. That's the one party that shouldn't have anything to say in this discussion whatsoever.

We did make a commitment during the CSR document to reduce expenditure levels by \$6 billion. We have reduced expenditures by \$2 billion because the in-year deficit was going to be \$10.6 billion if we didn't take action. I think we have a mandate to cut a further \$6 billion, as we indicated in the CSR document.

Mrs McLeod: It's a little bit difficult to follow the minister's answer. The minister acknowledges the fact that the Common Sense Revolution says \$6 billion will be cut. Dominion Bond Rating Service says it will have to be \$10 billion. This minister says that this is not a miscalculation, that they haven't underestimated. I'd be prepared to admit, Minister, that this could have been a drafting error in the Common Sense Revolution, but let's at least acknowledge what it is you're facing right now.

The Dominion Bond Rating Service clearly says that to meet your deficit reduction target—we assume you want to meet that target—and to keep your promise of the income tax cut, you will have to cut \$4 billion more than you planned. Dominion Bond Rating Service estimates that this is a 20% cut in total spending of the government.

Now, if you take health care out and you protect it as you said you would, then you would have to cut about 32% in all other areas across the board. Now, you have made a very clear and a very categorical promise that you will not cut health care. So can you assure me today that you will not cut health care, that we will not see massive cuts to health care as a result of your miscalculation of the numbers, and will you confirm that if you do protect health care, you will have to make cuts of 32% or more in all other areas?

Hon Mr Eves: No, I won't confirm that at all. Dominion Bond Rating Service also says, which the leader of the official opposition refuses to acknowledge, that they don't know what the impact of tax cuts will be. They do confirm that they will undoubtedly spur the economy, create growth in the economy and create employment, but they just don't know when or by how much that will happen. She knows; they don't know.

Mrs McLeod: The minister may say that Dominion Bond Rating Service doesn't know what it's doing, but we need to have a Minister of Finance who knows what he's doing and a Minister of Finance who is going to bring out an expenditure statement within a few weeks and who needs to tell people what the cuts in that expenditure statement are going to amount to.

Minister, your program of promises calls on you to balance the budget; to do that while you cut income taxes by 30%; to do it with cuts of \$6 billion from government spending; and to do that without cutting health care. It is now absolutely clear to everyone that you miscalculated the expenditure cuts that you would have to make in order to keep your income tax cut promise.

Dominion Bond Rating Service says you'll need to cut \$4 billion more than you planned. It seems to me this leaves you with three options: abandon your promise to cut income taxes, abandon your promise to protect health care, or cut all other programs besides health care by 30% to 40%, a task which seems nearly impossible.

Minister, I ask you, which of those approaches do you plan to take? And, again, I ask you to give me an assurance that you will not be cutting health care, and not cutting health care in the financial statement you present next month.

Hon Mr Eves: Dominion Bond Rating Service says that Ontario may—"may" being the key word, I say to the leader of the official opposition—have to cut spending by up to—"up to"; it doesn't say "will be," it doesn't say "will be \$10 billion," it doesn't say "should," it doesn't say "will," it says "may"—up to \$9.6 billion instead of \$6.8 billion.

Also inferred by that, if you read through the whole report, there is going to be economic stimulation as a result of the tax cut. They acknowledge that. They also acknowledge they don't know—neither do you or I, by the way—how much that will be or when it will take effect.

We have a mandate to cut by \$6 billion. If the deficit in this fiscal year is \$8.8 billion, we've cut \$2 billion, we have a mandate to cut another further \$6 billion and that's what we intend to do.

The Speaker (Hon Allan K. McLean): New question. The Leader of the Opposition.

Mrs McLeod: I assume that the minister's refusal to give me an assurance that he will not be cutting health care means that they are looking at cuts to health care, and that disturbs me very greatly.

DRINKING AND DRIVING

Mrs Lyn McLeod (Leader of the Opposition): My second question is to the Attorney General. Minister, last week, with great fanfare, you announced that you would be taking steps to combat drunk driving, but according to corrections officers, there are situations in which drunk drivers who turn up to serve their sentences on weekends are turned away because of overcrowding in our jails.

I suggest that this revolving-door policy makes a mockery of the public concern about drunk driving and that it is a threat to public safety. You are saying to the public, "Look what we're doing about drunk drivers," but you're saying to drunk drivers: "We're not serious about repeat drunk drivers. Make a show of turning up to serve your jail time and we'll send you home."

This is completely unacceptable and I want a clear statement today from you, as Attorney General, about this practice. Do you agree with the practice, and if you do not, what are you going to do about it?

Hon Charles Harnick (Attorney General, minister responsible for native affairs): We announced last week our initiative regarding automatic licence suspension. That, we believe, will reduce the incidence of impaired driving on our roadways.

What the leader of the official opposition is talking about is a completely different issue. It's a completely different issue. What the Leader of the Opposition should know is that intermittent sentences are not given traditionally or generally to people who have been convicted of impaired driving. They are not given those sentences. That is a totally different issue than the issue of a temporary absence program, where someone serves time in jail but is allowed to leave in the morning and comes back at night. The incidence of those kinds of things happening in court is very minimal, intermittent sentences not being given to people convicted of impaired driving.

Mrs McLeod: For me there is one bottom line in this and that's that people who drink and drive are dangerous and we must be prepared to deal as aggressively with them as we possibly can. I thought that's what you were saying last week in announcing the measures that you were taking.

I do not believe they are separate answers. I don't believe you can talk on one hand about what you're doing to deal with drunk driving and not be prepared to address the issue of whether or not sentences that are being given can in fact be enforced.

1420

As I understand it, half the convicted criminals serving time on weekends are for drunk driving; two thirds of the drunk drivers who kill are repeat offenders. These are the people who are walking away from their jail time and from sentences that the court imposes, not just as punishment but indeed as a deterrent.

I want a guarantee from you, Minister, as Attorney General of this province, that there will be no more Get Out Of Jail Free cards from this government. Will you tell this House and the people of Ontario that drunk drivers will serve their time in jail as ordered by the court, no ifs, ands or buts?

Hon Mr Harnick: The leader of the official opposition should know that the Attorney General doesn't tell jailers how to run jails in the province of Ontario. But I agree with the leader of the official opposition that drunk driving is something that we cannot and will not tolerate in the province of Ontario.

What I would like to tell the leader of the official opposition is to go to Ottawa and tell her federal cousins that someone who is convicted of an impaired driving offence for the second time should be facing more than a minimum of 14 days in the common jail.

Mrs McLeod: I directed this question to the Attorney General for one very specific reason, because I believe that if we have overcrowding in our jails and that means that people who are given sentences are being released into the community before their sentence is served because there is no room in the jail, that undermines the decision of the court and indeed undermines the justice system. I ask this question of you because you are Attorney General and responsible for administration of justice in the province of Ontario.

I suggest to you that we have already seen the situation where your government has shut down all the halfway houses in the province, and we know that there are people who did not go back to jail, who were released into the communities before they'd served their sentence. Now your colleague who sits beside you, the Solicitor General, is talking about closing more jails. We don't know what that's going to do to more overcrowding.

It seems to me the equation is simple: Fewer jails and no more halfway houses equals more criminals on the street. That is not acceptable to my caucus, and I don't believe it's acceptable to people in this province. You cannot get up and tell us that you're getting tough on crime when the public safety is being threatened because you're shutting down halfway houses and planning to close jails.

Will you tell the Solicitor General, Minister, that this situation is unacceptable, that criminals who are sentenced to jail must not be let out early because there's no room in the jail? Will you deliver that message to the Solicitor General?

Hon Mr Harnick: I think that the Solicitor General, who is sitting right beside me, heard what the leader said, and if she'd wanted an answer from him, she could very well have asked him for an answer.

What I am trying to do, recognizing that impaired and drunk driving is an epidemic in this province, is to try and stop impaired driving before it happens. We are trying to develop, with our automatic licence suspension proposal, a deterrent to people drinking and driving. Evidence in jurisdictions all around North America where this has been implemented indicates a deterrent effect of up to 50%, and that's what we are trying to achieve.

NATIONAL UNITY

Mr Bob Rae (York South): In the absence of the Premier, I have a question for the Minister of Intergovernmental Affairs. I was rather surprised, to put it mildly, that in his comments yesterday the Premier, in commenting on the referendum and in subsequent comments that have been made, was not able to state clearly the position of the government of Ontario with respect to Quebec's position in the Constitution.

Indeed, he spent an entire paragraph talking about the agenda of the Common Sense Revolution, which frankly the referendum had nothing to do about, and did not address the question of Quebec's historical concerns and demands. I wonder if the minister can now tell us, what is the position of the government of Ontario with respect to recognizing Quebec's distinctiveness within the Constitution?

Hon Dianne Cunningham (Minister of Intergovernmental Affairs, minister responsible for women's issues): I'd like to answer the question in this manner: Ontario and the other provinces and territories within the Confederation are all interested in negotiating with the government of Canada a new arrangement, a new agreement, a new way of doing business in this country. We, of course, had expected and had hoped that Quebec would be part of those negotiations, those discussions.

Within the whole Confederation of our country, I can only say that we do hope that Quebec will reconsider, given the results of the referendum vote, and that they will be part of the negotiations along with other ministers—I represent the province of Ontario—at those negotiations, at those communication events within the next few weeks.

Mr Rae: The minister can't speak for the government of Quebec, and neither can I. Nobody can.

I was a little concerned to hear the inference in the comments by the Premier this morning on the radio that somehow the change in leadership in Quebec provided some grounds for optimism, which I must say I find a little strange, given the various personalities involved.

But I'd like to ask the minister, is she telling us today that the government is not in a position to express its support for the distinct society? Is there a problem over there that we're not being made aware of? Why wouldn't the minister be able to say clearly on behalf of the government that this is in fact the position of the government of Ontario?

Hon Mrs Cunningham: In that regard, I think I can simply say that you have made your position clear as a former Premier, but it's our responsibility, I think, to hear from the people of Ontario.

Applause.

Mr Rae: I'm sure we all want to hear from the people of Ontario. I'd be interested to know how it is the government intends to do that. But I would say directly to the minister and to members of the Tory caucus who were applauding those comments so loudly, the future of the country is at stake here, and if you think that this is an issue that's going to be settled by simply holding your finger up in the air and seeing which way the wind

blows, you're sadly mistaken. We all have ridings to go home to, I also want to have a country to go home to, and that's what's at stake here.

Let me ask the minister, then, one more time. This House has passed resolutions, and the member for London North was in the House on several occasions. We passed motions in this House supporting the Meech Lake accord, we passed motions in this House in support of the Charlottetown accord—

Mr Gilles Pouliot (Lake Nipigon): Unanimously.

Mr Rae: Unanimously in the latter case, without a single dissenting voice; there were a couple of dissents over Meech Lake. I want to ask the minister directly, is she saying that the position of the government of Ontario is less than it was in the Charlottetown accord? And if that's the case you might have had the courtesy to tell us before the last referendum.

Hon Mrs Cunningham: I'd like to make it very clear to the leader of the third party, and a former Premier of this province, that every member in this House is interested in the future of this country. We all want Canada to move forward, together with the citizens of this great country, to be competitive and to reach out to other members of our society.

I'd also like to make it clear that for whatever reason the member has asked this question today, I can say to him sincerely, on behalf of this government, that we have appreciated his involvement throughout his whole life in this issue. We look at him as one of the leaders in advising all governments across this country. I think that was known as we watched him on television on that night and we were very proud to have him there.

We would expect him to continue in good faith in advising us in government as we proceed along this very important course, and that is to create an even better Canada and to move forward with all the citizens of this country and with their support, especially here in the province of Ontario.

The Speaker (Hon Allan K. McLean): New question, third party.

Mr Rae: To the same minister on a different subject, and I can assure the minister that I will be returning to this: The reason I'm discussing it is because I think it's time for the whole country to come to terms with the fact that our very future is at risk and it's something that we all have to talk about. There's no merit in not talking about it.

1430

MINISTER'S COMMENTS

Mr Bob Rae (York South): I would like to ask the minister a different question, and it relates to the questions that I raised with her last week concerning the meeting that took place in London on October 20.

Given the fact that there are a number of women here today because they heard the minister's answers the other day and wanted to get a chance to hear them here again—the minister has denied in the House that she said words which have been attributed to her in correspondence with the member for Riverdale. I'd remind the minister that the remark attributed to her is this statement:

"Within the context of this government, you need to understand that groups or agencies that are seen not to be working with this government, providing an oppositional voice [at this point she made reference to Harmony House, an Ottawa second-stage housing project which has been strongly voicing opposition to the cuts] will be audited and their funding eliminated."

The minister has denied that she made those statements, and there are several people who insist that that is in fact what she said. I wonder if the minister now can tell us what suggestion she would have, given this very strong difference of opinion between two people attending the same meeting, of how this issue can be effectively resolved.

Hon Dianne Cunningham (Minister of Intergovernmental Affairs, minister responsible for women's issues): I don't think it can be effectively resolved. I don't think those kinds of statements can be effectively resolved.

I certainly know that my intent in meeting with that group was to work with them to solve a problem in London, and I intend to do that.

As far as the reference of the group to Harmony House is concerned, I certainly met with a representative as part of another group a week ago and I intend to meet with them as per requests from the Ottawa members. I'll be meeting with them tomorrow.

Mr Rae: Given the fact that we have a group of people who attended a meeting who insist that they heard the minister say that if they were to continue in opposition to the government, their organizations would be audited and their funding would be eliminated—which is a remark, I'm sure the minister would agree, intimidating in its very nature and can only have the impact of creating a terrible climate for public policy and for the future of the relationship between thousands of agencies and the government of Ontario—I wonder if the minister would agree today to have her remarks and the subject matter of that meeting of October 20 referred to a committee of this House so that in fact it can be possible for us to see who's there.

Hon Mrs Cunningham: All I can say is that the member of the third party is in a very nasty mood, and I would suggest that he knows better than this. I've been elected since 1973. I have always encouraged public participation and debate. I have also encouraged people to speak out against policies they don't agree with. I should say right now that I think, and people have heard me say this over the years, that one of the greatest problems we have in democracy is that people are not involved.

The end result of that meeting, in our notes—and I'm not about to debate this in the House—is that I left them with the challenge of speaking out. I will be meeting with the president of the London second-stage housing board and their executive director at an appropriate time, and that is after we have taken a look in all communities at how we can consolidate the programs and keep our second-stage housing alive. That's our intent and that's what we're working on now.

Mr Rae: I want to assure the minister that I'm in a wonderful mood today. I think members opposite can accommodate that. I've had words to say. I hope the minister isn't suggesting that if I ask questions she finds uncomfortable, that means I'm in a bad mood. No, it doesn't. It means I'm doing my job.

I'm in a very cheery mood. I would say, in a mood of complete cheeriness, that we have a group of people who represent agencies that receive funding from the government of Ontario. They are reputable people, people who take their job seriously. They were at a meeting in which they heard you say something which is completely different from an account which you have now given.

In every other experience in which I've been involved in this House, with several different governments, when you have such a clear question of a different accounting of a conversation that took place, it is immediately referred to a committee and there is an opportunity for the committee itself to hear from all sides.

I'm simply asking the minister, if she's so clear on what she said and so clear that nothing else was said, what would she have to fear from a committee hearing from her and hearing from a group of people who say that's not what she said? What's your problem?

Hon Mrs Cunningham: I don't fear anything. As a matter of fact, I just think it's a total waste of time, and I don't think the taxpayers should be spending money on irrelevant situations where you have no proof except one person and the few women—

Ms Frances Lankin (Beaches-Woodbine): No, no, more than one person. They are all here, Dianne. Look at them.

Mr David S. Cooke (Windsor-Riverside): Try nine, Dianne.

Hon Mrs Cunningham: When you talk about intimidation, I suggest that any member of this House, when they disagree with what's being said in this House, can phone up a group of people and bring them to this place. That's up to you, if you want to do that. I don't feel intimidated in any way and I wouldn't intend to intimidate anybody else.

My job is to look at all of the funding, to coordinate where possible and to make a decision without bias on the best projects for the job and the best institutions that provide the most services for the public of Ontario, who are working very hard to pay their taxes, and a lot harder as a result of your five years in government.

AUTOMOBILE INSURANCE

Mr Bruce Crozier (Essex South): Mr Speaker, I have a bit of a problem in that the minister to whom I'm going to address my question is not in the House.

The Speaker (Hon Allan K. McLean): You can address it to anyone you wish.

Mr Crozier: I was going to give the Minister of Finance a couple of minutes.

Interjection: He's here.

The Speaker: Proceed with your question.

Mr Crozier: Minister, we all know that over the past 18 months insurance premiums in this province for

automobiles have skyrocketed. Rates published just last week show that they've increased 12% over the last quarter, and we had average increases of 11.5% or thereabouts in 1994.

I know for a fact that the current government would agree with me that these increases are due in large part to what we refer to as Bill 164. The minister recognized this problem, as a matter of fact, because last July 18 he appointed his parliamentary assistant to review this current legislation.

I would therefore ask the minister, even though you've appointed your parliamentary assistant to look at the current legislation, will we see legislation either to amend or to repeal Bill 164, and when?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): I thank the honourable member for the question. He's quite aware that the member for Mississauga West has indeed been reviewing the entire issue of automobile insurance in the province of Ontario. I am happy to report to him that in the last three months the parliamentary assistant has met with well in excess of 100 different groups about automobile insurance. Yes, we will be bringing forward legislation to deal with the auto insurance situation in the province of Ontario, and hopefully by no later than next spring.

Mr Crozier: The minister knows well that January 1, 1996, is a crucial date when it comes to Bill 164. We're not talking about a tax decrease for rich Ontarians; we're talking about decreased auto insurance premiums for every automobile owner in this province. That includes the little people, Minister.

We have had consultations, as your government has had, over the past year. I don't know why it's going to take you any longer. If this isn't great legislation, that needs—you know, all the drafting errors we had last year. We have the information at hand.

You know that January 1, 1996, is the crucial date. Why won't you bring in legislation before that time to reduce insurance premiums for the auto owners in this province?

Hon Mr Eves: Actually, we had planned to send this issue out for deliberation by an all-party committee of this Legislature during the winter break—I'm sure the honourable member would concur with that—at the conclusion of the parliamentary assistant's deliberations with stakeholders in the industry and the public.

The honourable member wants something done. He just got through criticizing the route the government took on Bill 7 for not having public hearings, and now he doesn't want public hearings on the auto insurance bill. I don't understand where they're coming from.

As a member of the party that introduced Bill 68 into this Legislature, which probably led to the greatest auto insurance premium increases in the history of the province, he should be the last person to be talking about that.

1440

SERVICES FOR ABUSED WOMEN

Ms Marilyn Churley (Riverdale): My question is for the Deputy Premier. Today marks what is traditionally

known as Wife Assault Prevention Month. In addition to her threats and intimidation which our leader talked about earlier, the Premier's appointee to the women's issues portfolio has told the Ontario Association of Interval and Transition Houses that the funding for core services to abused women will not come from the Ministry of Community and Social Services and will have to come from other systems. The Minister of Comsoc has said this isn't correct, that the funding is still there.

Considering that both the ministers seem to be backpedalling at this point—and they're doing so because the attack on women is not what people voted for in this election; in a document released by the Conservatives in 1994, they promised to keep these services there, to protect those services—I would ask the Deputy Premier, is he going to go ahead and allow the continuing dismantling of these services for abused women and children?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): I'd like to refer this question to the minister for women's issues.

Hon Dianne Cunningham (Minister of Intergovernmental Affairs, minister responsible for women's issues): I think the member who has asked the question understands that coordination is extremely important. That's what we're working on now.

The wife assault and sexual assault initiatives are funded through the Attorney General; Citizenship, Culture and Recreation; Community and Social Services; Solicitor General and Correctional Services; Education and Training; Health; Northern Development and Mines; and the Ontario women's directorate. We're trying to coordinate those services. Of course we support all the initiatives of the former governments, and we just want to do more with our money.

Ms Churley: Flowery language is not what we need right now. While we speak, women and children are in abusive situations.

Both the ministers have to start understanding that core services are being cut. They don't seem to understand that; or, if they do, we really have to ask integrity and credibility questions here. What is going on?

I'm going to give one example out of many. In St Thomas, the St Thomas-Elgin second-stage housing has no other funding than funding from MCSS. That's the very funding, Minister, that's been cut. They've sent a letter to the Premier telling him this. The letter points out that they receive no other funding and that there are no other services in the community that provide the support they do.

We are beyond arguing whether or not counselling services are necessary. We are telling this government that what it is doing is cutting core services. Is the minister going to continue to allow her government to cut these core services, or is she going to start standing up for the women and children of this province now?

Hon Mrs Cunningham: It would be helpful, especially during this important month, that the opposition parties not—I shouldn't say "parties"; I will say "party"—go out about Ontario fearmongering among the women. I can

tell you right now, in the London area there are eight shelters, there are six second-stage housing, and there are two other programs that support women from the area.

Interjections.

The Speaker (Hon Allan K. McLean): The member for Cochrane South is out of order, and the member for Hamilton East is out of order.

Hon Mrs Cunningham: It's our intent to continue support for second-stage housing. It's a matter of the Minister of Community and Social Services and myself and other ministers getting together, as we are doing, and we will be making a presentation later this afternoon with regard to this important issue.

NOTICE OF DISSATISFACTION

Ms Marilyn Churley (Riverdale): On a point of order, Mr Speaker: I'd like to give you notice that I'm not satisfied with the answer, and I will be asking the minister to come back for a late show.

CLOSURE OF STRATFORD JAIL

Mr Bert Johnson (Perth): I rise for the first time from this place in the House today. I'd like to start by thanking the leader of Her Majesty's loyal opposition for her concern which she expressed on my behalf earlier this week. I understand that in past administrations a government member would not have been allowed to question a minister, but thankfully this is different and new in this government.

The Speaker (Hon Allan K. McLean): Which minister are you asking a question of?

Mr Bert Johnson: My question today is for the Minister of Correctional Services. Rumours are abounding still that you will be announcing the closure of certain older correctional facilities in Ontario. Listed among the possible closures is a facility in the city of Stratford, in my riding of Perth.

I'd like to take this opportunity to point out to you that the Stratford Jail has been upgraded and modernized in the last two to three years. Its evolution has involved almost \$1 million in upgrades and a six-month closure for the renovations. Modern fire protection, air exchange and security improvements are in place. The fact is, Stratford Jail is a facility which has been outfitted with modern equipment. Why, then, has it been placed on the list of possible closures?

Hon Bob Runciman (Solicitor General and Minister of Correctional Services): I thank the member for that question, and I appreciate the concern that he and other members with some of the older jails in their ridings have, essentially based on the report of the Provincial Auditor in 1993. That is why he has been invited tomorrow, along with other members who have older jails in their ridings, to meet with me and the Provincial Auditor so we can review the auditor's concerns and discuss changes that may have taken place, for example in this member's riding, since the Provincial Auditor completed his audit. This member has talked about an expenditure of \$1 million by the previous government upgrading the Stratford Jail in the past year. That's the sort of input we want to deal with.

The previous government closed down two jails in Ontario. In the riding held by the member for Lanark-Renfrew, the NDP government had spent \$1 million during the year before announcing the closure without any consultation. In a riding held by the Speaker of this House, the government spent significant dollars in renovations in Camp Hillsdale and then went ahead with a closure without any consultation.

We're doing things differently. We're going to allow for input and consultation, deal with this question with the auditor and then make our decision.

Mr Bert Johnson: I had the opportunity this morning to tour the facility in Stratford and to hear the concerns of the staff. Stratford Jail has beds for 50 inmates. Under our previous government, we saw 20 of those beds closed. While other jails throughout the province are complaining of overcrowding, it does not make much sense to close a facility which is not being permitted to operate at full capacity as it is. From a cost-cutting point of view, Stratford Jail actually has a lower per diem cost per inmate than the provincial average, when it's operating at capacity. Why, then, can't the Stratford facility be used to accommodate inmates from other overcrowded jails?

Hon Mr Runciman: Those are all good points the member raises, and we will address them tomorrow at the meeting with the auditor and with officials from the Ministry of Correctional Services.

There are other issues out there that we have to deal with. I want to put them on the record. In the last 10 years—and this is particularly relevant to the folks sitting across the room—the cost of operating our correctional institutions has increased 83%, while the number of inmates has increased by 28%. Our correctional officers in Ontario earn almost 25% more than federal correctional officers. They work an average of 32.3 hours a week. I should mention as well that our staff-to-inmate ratio in Ontario is about one staff person to every inmate, which is double the ratio in the province of Alberta. We have significant problems that we have to come to grips with because the past two governments simply ignored them.

1450

MUNICIPAL GOVERNMENT

Mr John Gerretsen (Kingston and The Islands): My question is to the Minister of Municipal Affairs and Housing. The chairs of the 13 regional governments have just issued their report entitled *In Pursuit of Better Government*, in which, among others, they state that they represent two thirds of Ontario's population; rather, in most cases, they represent the councils that selected them. In it they propose that the regional governments take control over tax billing and collection, property assessment, fire protection, education and hydro. The effect would seriously weaken local government.

Minister, your government's CSR document calls for a radical restructuring of municipal government. Not surprisingly, local governments are feeling anxious and worried. They're wondering if your government will be acting on this report, which has had no public input, no AMO input, or no input from the local councils. What are you going to do about it, Mr Minister?

Hon Al Leach (Minister of Municipal Affairs and Housing): Yes, the regional chairs did provide me with a report. It's one of a number of reports that we have on restructuring government throughout the province of Ontario, a situation that has to be addressed as quickly as possible. We've had meetings with AMO. We've had meetings with the regional chairs. We've had meetings with all sorts of municipalities: with single-tier, upper-tier, lower-tier. All of their comments are being taken into consideration, as well as the ones from the regional chair, and we'll deal with them all.

Mr Gerretsen: My supplementary also deals with the very important issue of municipal restructuring. Mr Minister, you've indicated that you will be cutting transfer payments by at least 20%. You've also indicated that you're going to give municipalities more local autonomy. Are you going to give local councils complete control over their police budgets, and will they be able to opt out of currently mandated provincial programs? Yes or no?

Hon Mr Leach: We are going to give the municipalities more autonomy. With more autonomy comes more responsibility. We are going to provide block grants to enable the duly elected representatives of municipalities to make decisions that are in the best interests of their communities as they see fit, not by mandate.

GALBRAITH BAIL RESIDENCE

Mrs Marion Boyd (London Centre): My question is for the Minister of Correctional Services and Solicitor General. We've heard a number of times in this House about various closures of programs by the ministry of corrections, and one my colleague from Fort York mentioned in a statement last week was Galbraith House, a bail release program here in the city. Minister, I understand that you know quite a bit about this, having talked yourself personally by telephone to the executive director of the agency and meeting with the executive director of the agency, and expressed some concern about this program.

It's a unique program, I understand, in the province of Ontario and is not a mandatory program. It is one that has been in existence, however, for 14 years, put in by the previous PC government. It is one which takes in a number of men at a time—I believe they have 10 beds—and looks after those people with counselling and with job opportunities and so on while they are on bail, because they have no place else to go.

I understand that you indicated to the executive director that you didn't understand this was a different program than halfway houses when it was closed and that you wanted to review that, and that you did review that and decided that in fact the program was not cost-effective.

I wonder if you could confirm to me a statement that was made by a ministry of corrections official at the meeting that you held with this group which said, "Whether the guy is innocent or not"—because of course people on bail have not been convicted of anything yet—"if it is cheaper to keep him in jail, it is a feasible option." Can you confirm that, Minister?

Hon Bob Runciman (Solicitor General and Minister of Correctional Services): What happened in this situation is that I received a letter from the executive director of Galbraith House, and I responded to that letter. He was asking for reconsideration of the decision, and I gave the director a call and said to him, "You have to appreciate the financial situation we're facing and we've had to make some very tough decisions, but I'm prepared to sit down and talk to you if you can come to me with a proposal that will indicate that you can provide the same service at costs that are significantly lower than incarceration rates in the Metro area." We did meet and they did bring a proposal, but it didn't meet that standard. Those are the facts.

Mrs Boyd: The minister did not answer my question as to whether the issue here is that services that will be offered by Correctional Services in the province of Ontario will always be the cheapest services, because that raises the question for all of us: If we are looking at only the provision of the cheapest services, and given the comments that the member made in response to the question from his own colleague from the county of Perth, and given that this government has now changed the Crown Employees Collective Bargaining Act to refuse succession rights to government employees, I'd ask the minister, can we assume that you are going the route of Alberta, where people are at half the cost of that of Ontario, and looking at privatization of all correctional facilities?

Hon Mr Runciman: Well, we're looking at everything. We haven't ruled anything out and we're certainly looking at cost-effective operations. I know that's a pretty difficult concept for members of the NDP, but we have to deal in that regard because we're faced with very significant financial pressures.

The Galbraith House, as an example, was costing taxpayers of this province \$165 per day—

Mrs Boyd: It's \$122.

Hon Mr Runciman: No, \$165 per day to house the residents versus, if you want to compare this, the Toronto Jail at \$78 and Metro West \$92.

Galbraith House—certainly I have nothing but praise for the people who are involved in that operation, but these are people who have not been convicted—as you indicated, they're people on bail—and I think if you get back to looking at the core services each ministry has to provide, it raises a serious question about whether that's the sort of business the ministry of corrections should be involved in, especially when it costs us significantly more dollars than incarceration.

GRADE 9 TESTING

Mr Rob Sampson (Mississauga West): My question is across the court here to the Minister of Education and Training. I understand that this morning the Ministry of Education released the results of its reading and writing tests for grade 9 students. Could the minister tell us what his thoughts are regarding the results of this test?

Hon John Snobelen (Minister of Education and Training): I must say I'm sure no one in the House is surprised to hear such an excellent question from a

representative of the fine city of Mississauga, and I'm proud to have that question today.

In fact we did release the results today of a 1994-95 test of grade 9 students in the province of Ontario. Over 130,000 students in the province participated in that test, and I'm proud to report on the results from last year's test.

The test was done in reading and writing in both the English boards and the French boards across the province. The English boards reported that reading skills were 96% acceptable, which is an increase of 6% over the previous year's testing, and the writing skills were at 93% acceptable, a decrease of 1% over the previous year. In the French boards, the reading was at 79% acceptable, which is a significant increase over the previous year, and the writing skills were at 87%, a significant increase over the year before again for those French skills.

The Speaker (Hon Allan K. McLean): Wrap up your answer.

Hon Mr Snobelen: Thank you.

Mr Sampson: I just want to remind the minister that while we are the opposite, we are on the right side of the opposite side.

My supplementary—

Mr Gilles Pouliot (Lake Nipigon): You're going to fall off the platform you're so far right.

Mr Howard Hampton (Rainy River): It's called the tilt.

The Speaker: Order.

1500

Mr Sampson: Does the minister have any concerns regarding the discrepancies in the results between the various boards in the test?

Hon Mr Snobelen: Well, to the member at the extreme right of the opposite, the member for Mississauga West, I think it's important to remember that there are some statistical anomalies in all of these reports. For instance, the boards that tend to be at the extremely good or extremely poor spectrum in the test results tend to be boards with a very small number of students, and I think that accounts for some of that range.

I'd like to tell the member that I am very concerned that in fact over a third of the students in our English boards are performing at the very bare minimum level of performance and that in fact in our French boards almost half the students are performing at that level. I think we have a lot of improvement we can make in the system.

Thank you, Mr Speaker. I've enjoyed the question from the member for Mississauga West.

SERVICES FOR ABUSED WOMEN

Mr Dominic Agostino (Hamilton East): My question is to the minister for women's issues in the province of Ontario. Madam Minister, yesterday—

Mr James J. Bradley (St Catharines): Jan Dymond has already prepared the answer.

Mr Agostino: I'm sorry, Dave. You're going to have to get excited tomorrow.

Minister, yesterday the Ontario Association of Interval and Transition Houses was advised that your Minister of

Community and Social Services has cut \$65,620 from their 1996 funding.

As you know, this organization met with you on October 19. They met with you, you asked for advice and information, you talked about a partnership, and 11 days later they were notified that the funding that your government has provided to this organization and that the Conservative government started providing to it in 1980 has been cut.

This group represents organizations that coordinate the services for women's shelters across Ontario. They work together to pool services to find better ways of serving abused women in Ontario, exactly the type of concept that you are talking about.

Minster, can you explain to the House how you could allow your Minister of Community and Social Services to make this cut, and who is speaking on behalf of abused women in your cabinet?

Hon Dianne Cunningham (Minister of Intergovernmental Affairs, minister responsible for women's issues): First of all, the Minister of Community and Social Services has his responsibility with regard to managing one of the most important budgets in the province of Ontario, and I think he's doing a very good job of it.

Secondly, I would like to say that with responsibility for all the ministers—and I have already talked about the eight ministries that are involved—working together with the Ontario women's directorate, it is our responsibility to spend money wisely and efficiently.

I should say that I too appreciate the Ontario Association of Interval and Transition Houses and the work that it does. As a matter of fact, I understand that there was a reduction in the money that went to that particular group.

We did have a very good meeting. They certainly knew where we were coming from with regard to providing core services, and that means of course that the first responsibility is in the front lines to the women and the children that we serve. Therefore, many advisory groups across all ministries, many groups that are trying to coordinate on their own within communities, will in fact be left without that kind of funding, because it isn't, as we would describe, a core service with money going directly to the mother and the child with some level of support.

Mr Agostino: The minister says it was a good meeting, and once again we have a different interpretation, and you think a group of people left very happy. Let me read from the letter that was sent to your Minister of Community and Social Services:

"We are further taken aback that after we met with Dianne Cunningham on October 19 in good faith and agreed to provide her with information and ideas, two weeks later we should find that our provincial government support has been totally eliminated. It would appear that our idea of partnership and that of your government might be two very different things."

That does not sound like a very happy group, Madam Minister, does not sound like a group that left a meeting that was the same meeting that you left.

Your government is celebrating Wife Assault Prevention Month in Ontario by once again announcing another cut. That is your way of treating abused women in this province. You've cut second-stage housing. You've cut support services. You have now cut organizations that deal with them.

Madam Minister, let me suggest that silencing this group is another attempt to silence your opposition. This group will speak out. This group has been opposed to the cuts you're making. This group, as part of those efforts, is there to deal with and represent abused women, and you're going to silence them by cutting their funding. Anybody who opposes you, you're going to cut.

Madam Minister, can you please stop defending these brutal cuts? Can you use the same compassion, the same passion that you use in defending Mike Harris and his cuts, on behalf of abused women in this province, on behalf of vulnerable women who need help?

The Speaker (Hon Allan K. McLean): The question has been asked.

Mr Agostino: When are you going to start representing the women in Ontario who need your help and stop defending your—

The Speaker: Order.

Hon Mrs Cunningham: This government is spending almost \$100 million on projects and on programs that support women and their children, and especially women who have been abused. I don't want anybody to forget that a huge proportion of that budget is still in place, including all of the funding for 98 shelters and some \$15.7 million in counselling services across the province.

I think the most important issue that the member has asked about today is with regard to supporting the agenda of our government and we are protecting as far as possible, and still providing, most of the services and all of the core services that affect women and children.

Ms Frances Lankin (Beaches-Woodbine): You are not, Dianne. Stop saying that, you are cutting core services.

Hon Mrs Cunningham: I should say to the member for Beaches-Woodbine that at this point in time, until we're ready to come back with a new solution with regard to second-stage housing, there's absolutely no point in my standing up and trying to respond to the member. I think it would be better if you were to make an appointment and meet with me.

Mr Agostino: You have cut funding 100%.

The Speaker: Order. The member for Hamilton East is continuously out of order, and I won't accept it.

MUNICIPAL FINANCES

Mr Gilles Bisson (Cochrane South): My question is for the Minister of Municipal Affairs. We know that in the last provincial election the now government of Ontario, the Progressive Conservative Party, ran an election with the whole bunch of promises contained in the Common Sense Resolution.

Mr John Gerretsen (Kingston and The Islands): Wake up, Al.

Mr Bisson: That's a question to you. One of the promises that you made in the CSR, as we affectionately

call it now, is that you will be, on page 17, eliminating an "unfair downloading" process by the province to the municipalities. In other words, you didn't believe that you should pass on your fiscal problems to the municipalities of the province of Ontario.

We now see across the province of Ontario municipalities from northern Ontario, from southern Ontario, from different parts, who are really worried about what your cuts are going to mean not only to services but to increases in property taxes. How do you plan on eliminating unfair downloading to municipalities?

Hon Al Leach (Minister of Municipal Affairs and Housing): As I repeated before in this House, we plan to give municipalities more autonomy, and with more autonomy comes more responsibility. We've met with AMO, we've met with the regional chairs, we've met with the mayors' committee—all of them are prepared to work with us. The municipalities in the province of Ontario want to be part of the solution. They don't want to be part of the problem, like many people across the floor.

As recently as last night we met with the AMO group where we talked about what's happening in the province of Ontario, with the very difficult economic situation that we've got into, and if the member wants to really know what the problem is, what he should do is get up in the morning and look in the mirror, because that's where the problem started.

Mr Bisson: That's very typical. Mr Speaker, I can assure you that in the morning I have no difficulty in looking at myself in the mirror. I can assure you that the minister and this government will before not too long.

Onwards and forwards. I was interested in what seemed to be an answer. I think the first time we've actually asked this minister a question, we had about a tenth of an answer in his entire response to the question.

Now you're saying in a response that you want to pass on more autonomy to local municipalities to deal with things. If you go to page 5 of the Common Sense Revolution, open up the CSR, you are saying in the Common Sense Revolution that you will ensure that any actions taken by your government will not result in increases in local property taxes.

Just how do you propose to do that? Do you plan on somehow or other introducing legislation that would take away rights of municipalities to deal with things on their own? We know that you have a huge problem on your hands in dealing with what the minister just talked about this morning. You are going to be passing on a huge transfer of cuts of money to municipalities. How do you plan to do this and, at the same time, make sure that the municipalities don't pass that tax increase on to their citizens at the local property tax level?

Hon Mr Leach: The member is very correct: It does say that we will work very closely with municipalities, and we are. The municipalities are prepared to work with us. They know they're in a difficult situation. What they're going to do is restructure their organizations to downsize their problems. Hopefully, they'll be able to do that without raising property taxes. But property taxes

rest with the municipality. The municipalities make the decision as to whether they raise it or whether they don't, not this government.

1510

NOTICE OF DISSATISFACTION

Mr Gilles Bisson (Cochrane South): I would like to let the Speaker know I am unsatisfied with the answer of the minister and am requesting a late show.

VISITOR

Mr David Turnbull (York Mills): Mr Speaker?

Mr Howard Hampton (Rainy River): Do you want a late show too, David?

Mr Turnbull: No, I don't want the late show particularly. I would just like to inform the Speaker that Mr George Archibald, a member of the Legislative Assembly of Nova Scotia and opposition whip, is sitting in the members' gallery.

MOTIONS

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): I move that Mr Pouliot and Mr Martin exchange places in the order of precedence for private members' public business.

The Speaker (Hon Allan K. McLean): Agreed? Agreed.

HOUSE SITTINGS

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): I move that when this House adjourns on Thursday, November 2, 1995, it stand adjourned until 1:30 pm on Tuesday, November 14, 1995; and that notwithstanding standing order 8(a), the House shall meet on Friday, November 17, 1995, from 11 am to 1:30 pm for the consideration of government orders, after which the House shall proceed to routine proceedings. At the completion of routine proceedings, the House shall adjourn until Monday, November 20, 1995, at 1:30 pm.

The Speaker (Hon Allan K. McLean): Agreed? Motion carried.

PETITIONS

AMALGAMATION OF SCHOOL BOARDS

Mr Mike Colle (Oakwood): This is a petition from the good citizens of Oakwood.

"We, the undersigned, are against the proposed amalgamation of our Board of Education for the City of York with the Toronto Board of Education and the East York Board of Education.

"We do not want to be part of a proposed new mega-board of education with a student population of over 110,000 students. Amalgamation would not realize the expected cost savings. The actual process of amalgamation of the school boards would be lengthy and costly. It would also decrease the responsiveness of the boards to their students, parents and community.

"We do not want to pay higher property tax to run a mega-board. We do not expect to receive more provincial funding from a government that is cutting back on all expenses. We want to keep our special programs. We

want to keep providing our seniors with courses at little cost. We want to keep our before- and after-school programs. We want to say no to amalgamation."

I attach my name to this petition against the amalgamation of the York school board.

LABOUR LEGISLATION

Ms Frances Lankin (Beaches-Woodbine): I have a petition from residents of the riding of Beeches-Woodbine with three pages of signatures.

"Whereas the Minister of Labour has introduced legislation, Bill 7, to drastically amend the Labour Relations Act, the Employment Standards Act and other labour legislation which had been brought forward by successive Progressive Conservative, Liberal and New Democratic governments in recognition of the legitimate rights of employees in Ontario;

"Whereas the implementation of Bill 7 will undermine the fundamental and democratic rights of employees to organize and to have access to collective bargaining;

"Whereas employers have raised concerns about how Bill 7 will result in an increased number of strikes; and

"Whereas the Minister of Labour is proceeding with Bill 7 without consultation with employee groups and without conducting public hearings;

"We, the undersigned, petition the Legislative Assembly of Ontario to urge the Minister of Labour to withdraw this legislation."

I have affixed my signature to this.

KARLA HOMOLKA

Mr Bill Murdoch (Grey-Owen Sound): I have a petition that I would like to add to all the other signatures that the member from Etobicoke brought in the other day. This is to the Legislative Assembly of Ontario:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand a public inquiry into the conduct of all crown and law enforcement officials and employees at all levels involved in the investigation of Karla Homolka, and in particular the circumstances of the negotiation of the plea bargain arrangement. We also demand that all day passes and other privileges be revoked and her full 12-year sentence be served in its entirety."

I've also signed this.

SUDBURY ACTION CENTRE FOR YOUTH

Mr Rick Bartolucci (Sudbury): I have a petition to the Legislative Assembly of Ontario:

"Whereas the Sudbury Action Centre for Youth has helped nearly 130,000 people since 1986; and

"Whereas more than 35,000 youth have come to the centre for various services; and

"Whereas nearly 10,000 people have filled casual, full- and part-time jobs; and

"Whereas 372 youth have returned to school; and

"Whereas the government of Ontario has decided to close community youth support programs, including the Sudbury Action Centre for Youth;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario continue to fund the Sudbury Action Centre for Youth."

I've affixed my name to it.

LABOUR LEGISLATION

Mr David Christopherson (Hamilton Centre): The women and men of Local 200, CAW, refuse to be muzzled by this government and have asked me to present 2,000 petitions to the government that read as follows:

"Please stop and consider what you are about to do to the working men and women of Ontario in passing Bill 7. You have made it obvious that you will do anything possible to cater to your business interests, no matter at what expense to the workers of this province. The way you are attacking workers and unions is reminiscent of less democratic governments throughout the world.

"Why are you afraid of discussion with the people who will be detrimentally affected by these imminent legislative changes? I would like you to explain to me why you can't find the time to talk with those that you represent."

I proudly add my name to theirs.

FRENCH-LANGUAGE SERVICES

Mr Bill Grimmett (Muskoka-Georgian Bay): I'm presenting this petition today on behalf of the member for Simcoe East. The petition concerns the French Language Services Act from 1986, then known as Bill 8. The operative paragraph reads:

"We, the undersigned, request that Bill 8 be repealed, its artificial structures dismantled immediately and English be declared as the official language of Ontario in government institutions and services."

It contains some 82 signatures.

HOSPITAL RESTRUCTURING

Mr Monte Kwinter (Wilson Heights): I have a petition to the Legislative Assembly of Ontario:

"Whereas the report of the Metropolitan Toronto District Health Council hospital restructuring committee has recommended that North York Branson Hospital merge with York-Finch hospital; and

"Whereas this recommendation will remove emergency and in-patient services currently provided by North York Branson Hospital, which will seriously jeopardize medical care and the quality of health for the growing population which the hospital serves, many being elderly people who in numerous cases require treatment for life-threatening medical conditions;

"We petition the Legislative Assembly of Ontario to reject the recommendations contained within the report of the Metropolitan Toronto District Health Council hospital restructuring committee as it pertains to North York Branson Hospital so that it retains, at minimum, emergency and in-patient services."

It's signed by 25 people and I have affixed my signature as well.

OCCUPATIONAL HEALTH AND SAFETY

Mr Len Wood (Cochrane North): I have a petition signed by several hundred people out of Smooth Rock

Falls. The Communications, Energy and Paperworkers Union is concerned that:

"The government has already stated it will water down and weaken several aspects of the Ontario Occupational Health and Safety Act, including:

"The right of the workers to have adequate safety and health training;

"The right to refuse;

"The right to have an independent health and safety inspectorate;

"The right to participate in your own job safety and health;

"More fines for workers and less fines for employers.

"Therefore we, the undersigned, demand that Premier Mike Harris and Labour Minister Elizabeth Witmer do not change or alter the Occupational Health and Safety Act. We also demand full public hearings and consultation immediately on improved health and safety regulations as it concerns occupational exposure limits to hazardous and cancer-causing substances."

This number of petitions was forwarded to me by the recording secretary, Judy Smith, from Smooth Rock Falls, and I have affixed my name.

1520

ST STEPHEN'S SECONDARY SCHOOL

Mr John O'Toole (Durham East): It's a pleasure to rise today to direct a petition to the attention of the Minister of Education and Training. It's from the students, staff and parents supporting St Stephen's Secondary School in Bowmanville:

"We, the undersigned, forward this petition requesting that the scheduled opening of St Stephen's secondary not be delayed unnecessarily, and that the \$600,000 of annual rent on the current facility is a waste of taxpayers' money."

It's a pleasure to sign in support of this petition today.

KARLA HOMOLKA

Ms Annamarie Castrilli (Downsview): I have a petition signed by over 1,000 Canadians from coast to coast. It reads as follows:

"To the Legislative Assembly of Ontario:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand a public inquiry into the conduct of all crown and law enforcement officials and employees at all levels involved in the investigation of Karla Homolka, and in particular the circumstances of the negotiation of the plea bargain arrangement. We also demand that all day passes and other special privileges be revoked and her full 12-year sentence be served in its entirety."

I affix my name to this petition.

LABOUR LEGISLATION

Mr David Christopherson (Hamilton Centre): This is from residents in the home backyard of the Minister of Labour:

"To the Legislative Assembly of Ontario:

"Whereas the PC government of Mike Harris, under the influence of corporate special interests, has introduced

Bill 7, which would roll back rights of workers that have been achieved over several decades;

"Whereas this legislation is part of a pattern of cutting back protection for people in Ontario who don't have power or influence, including reduced welfare payments, cuts to health and safety training, a cap on pay equity wages for low-paid women, gutting of the wage protection program, a freeze on the minimum wage and lower workers' compensation benefits;

"Whereas the effects of Bill 7 would be felt in every workplace across Ontario, from Windsor to Cornwall to the Manitoba border;

"Whereas the people who will be affected by this legislation have a natural right to be heard by MPPs before such sweeping changes are rammed through the House;

"We, the undersigned, petition the Legislative Assembly of Ontario to hold public hearings in at least eight cities in all parts of this province and listen to why Bill 7 should be withdrawn."

I gladly add my name to the list.

KARLA HOMOLKA

The Speaker (Hon Allan K. McLean): Further petition, the member for Oakville.

Mr Gary Carr (Oakville South): Oakville South. How quickly they forget.

I have a petition which says:

"We demand a public inquiry into the conduct of all crown and law enforcement officials and employees at all levels involved in the investigation of Karla Homolka, and in particular the circumstances of the negotiation of the plea bargain arrangement. We also demand that all day passes and other privileges be revoked and her full 12-year sentence be served in its entirety."

SOCIAL ASSISTANCE

Mr Michael Gravelle (Port Arthur): I have a petition signed by over 1,300 residents in Thunder Bay, asking the government to rescind its 22% cut to social assistance benefits. This petition was organized by the Thunder Bay Coalition Against Poverty, a group that today in Thunder Bay is holding a tin cup rally, the culmination of a food drive to help those in Thunder Bay who are affected by the cuts. They make the point that these cuts will target groups that are already economically disadvantaged, including single parents, women, children, persons under 25, disabled persons and unemployed persons.

I'm proud to sign my name to this petition.

COMMUNITY-BASED JUSTICE OPTIONS

Mr Alvin Curling (Scarborough North): "To the Legislative Assembly of Ontario:

"Whereas during the 1970s, the government of the day developed measures that curbed the growth of government by involving local communities in the provision of legal services, the criminal justice field began to recognize the benefits of community-based justice options. Privatization was considered more cost-effective while strengthening government ministries through community participation in the justice system. Since that

time, non-profit agencies across Ontario have developed effective programs and present a strong local face to the justice system while supporting partnerships with an ever-widening community base. Community programs have proven to be effective in comparison to directly operated government services. Community-based options reduce the cost of incarceration while promoting public safety.

"Whereas community-based justice programs such as community service orders, diverse alternative measures, bail supervision etc have proven of value, the screening and supervision of accused and offenders within well-defined programs contributed to public safety. For over 20 years, community-based options have made a positive contribution to the welfare of communities in Ontario.

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We believe these programs must not be viewed as dispensable. As with many recent cuts, short-term, fiscal expediency holds no long-term value. Credible links with the community and quality programs for the citizens of Ontario must be maintained."

I have affixed my signature to this petition.

LABOUR LEGISLATION

Mr Gilles Bisson (Cochrane South): I have a petition here from members of CAW, Local 200 out of Windsor. They have a petition to the Honourable Elizabeth Witmer, Minister of Labour, which reads:

"I wish to express my disgust with your ministry for the lack of consideration being shown to your constituents regarding the repeal of Bill 40. You are failing in your responsibility to the people by refusing to give us input into important legislation that will adversely affect the majority of Ontarians in labour relations that have served us well over the past 50 years.

"I appeal to you to reconsider Bill 7"—although this is kind of late because we didn't get an opportunity to introduce petitions here because the government wouldn't allow it for over a week—"and explain to me why you would even tamper with legislation that is beneficial to the majority of the citizens of Ontario."

I affix my signature to this petition.

GASOLINE PRICES

Mr Michael A. Brown (Algoma-Manitoulin): I have a large number of petitions from my constituents in Algoma-Manitoulin addressed to the Legislative Assembly of Ontario.

The petition addresses the issue of gasoline price differences between northern Ontario and southern Ontario and essentially decries the difference of between 10 and 20 cents a litre for each litre of gas in northern Ontario, and they call on the government to equalize those prices.

KARLA HOMOLKA

Mr Ted Arnott (Wellington): I have a petition to the Legislative Assembly of Ontario. It reads as follows:

"We, the undersigned, petition the Legislative Assembly of Ontario:

"We demand a public inquiry into the conduct of all crown and law enforcement officials and employees at all

levels involved in the investigation of Karla Homolka, and in particular the circumstances of the negotiation of the plea bargain arrangement. We also demand that all day passes and other privileges be revoked and her full 12-year sentence be served in its entirety.

I've affixed my signature.

HIGHWAY SAFETY

Mr Frank Miclash (Kenora): My petition is to the Legislative Assembly of Ontario, and it reads:

"Whereas the Ministry of Transportation is intent on reducing northern winter road maintenance and services; and

"Whereas such downgrading places the lives of northern residents at undue and unnecessary risk;

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow these reductions in service and to guarantee that winter roads across the northern region of the province receive the necessary maintenance to ensure the safe passage of all travellers."

I have affixed my name to the petition as well.

ZONING BYLAW

Mr Bill Grimmett (Muskoka-Georgian Bay): I have a petition from the residents of the township of Tay in regard to a zoning bylaw amendment, number 95ZBA16, expressing their opposition to the application.

There are a number of signatures here, well in excess of 100. I believe it's in the proper form.

INTRODUCTION OF BILLS

WORKERS' COMPENSATION AND OCCUPATIONAL HEALTH AND SAFETY AMENDMENT ACT, 1995

LOI DE 1995 MODIFIANT LA LOI SUR LES ACCIDENTS DU TRAVAIL ET LA LOI SUR LA SANTÉ ET LA SÉCURITÉ AU TRAVAIL

Mrs Witmer moved first reading of the following bill:

Bill 15, An Act to amend the Workers' Compensation Act and the Occupational Health and Safety Act / *Projet de loi 15, Loi modifiant la Loi sur les accidents du travail et la Loi sur la santé et la sécurité au travail.*

The Speaker (Hon Allan K. McLean): Is it the pleasure of the House that the motion carry? Carried.

CANADIAN LIFE LINE LIMITED ACT, 1995

Mr Kwinter moved first reading of the following bill:

Bill Pr39, An Act respecting Canadian Life Line Limited.

The Speaker (Hon Allan K. McLean): Is it the pleasure of the House that the motion carry? Carried.

PUBLIC TRANSPORTATION AND HIGHWAY IMPROVEMENT AMENDMENT ACT, 1995

LOI DE 1995 MODIFIANT LA LOI SUR L'AMÉNAGEMENT DES VOIES PUBLIQUES ET DES TRANSPORTS EN COMMUN

Mr Gravelle moved first reading of the following bill:

Bill 16, An Act to amend the Public Transportation and Highway Improvement Act with respect to the removal of snow and ice from roads / *Projet de loi 16,*

Loi modifiant la Loi sur l'aménagement des voies publiques et des transports en commun en ce qui concerne le déneigement et le déglacement des routes.

The Speaker (Hon Allan K. McLean): Is it the pleasure of the House that the motion carry? Carried.

Mr Michael Gravelle (Port Arthur): The current provisions in this act do not require the ministry to provide winter road maintenance service to any specified standard. This bill will legislate the winter road maintenance standards currently employed by the Ministry of Transportation.

1530

ORDERS OF THE DAY

JOB QUOTAS REPEAL ACT, 1995

LOI DE 1995 ABROGEANT

LE CONTINGEMENT EN MATIÈRE D'EMPLOI

Resuming the adjourned debate on the motion for second reading of Bill 8, An Act to repeal job quotas and to restore merit-based employment practices in Ontario / Projet de loi 8, Loi abrogeant le contingentement en matière d'emploi et rétablissant en Ontario les pratiques d'emploi fondées sur le mérite.

The Speaker (Hon Allan K. McLean): The member for London Centre had the floor.

Mrs Marion Boyd (London Centre): To continue the remarks I was making with respect to Bill 8 on Monday last, I'd like to remind the House that what we were talking about in terms of employment equity in this province was an effort to try to redress a balance within the employment community and to balance out the real opportunities of those who are in the designated groups—and I pointed out that 65% to 67% of our communities fall within those groups—and to ensure that those persons knew about jobs, were being sought out according to their merit, according to their training, according to their ability; that they felt welcome to apply; that the means of screening those applicants would enable the merit of those particular individuals to be known.

It is very important for us to talk about this whole issue of merit. When the Leader of the Opposition spoke on October 30, she talked about code words that are used with respect to the ideological pursuits of the government. Quite frankly, under this government the issue of "merit" has become another code word.

In speech after speech, both during the election and in this place, members of the Conservative Party have talked about the merit principle as though that were antithetical to the notion of employment equity. Quite frankly, what is underlying the assumptions of the Conservative Party is that if people are members of the designated groups, they do not necessarily have merit. In fact, they can be sure they would only be hired because they are one of the designated groups, not because they have merit.

I spoke the other night of the whole issue of class in Ontario—a very unpopular issue. It's very unpopular for us to hear that we have a stratified society in which the current overclass has power and privilege and denies that power and privilege to others.

In the words of Michael Lind, the senior editor of Harper's Magazine who recently wrote an article called

To Have and Have Not: Notes on the Progress of the American Class War, there's a very good analysis of how those who exercise power and privilege in a society convince themselves that they and they alone have merit and that they and they alone can lead the society into better times.

He talks about this overclass in this way: "They dress the same. They talk the same. They walk the same. They have the same body language, the same gestures. They eat the same food, drink the same drinks, and play the same sports. They read the same publications. They...but I should say *we*."

He goes on to point out that those who have power and privilege in a society all have this in common: that we tend to think of ourselves as being the benchmark for merit.

He goes on to say: "The most remarkable thing about our own American oligarchy is the pretense that it doesn't constitute anything as definite as a social class. We prefer to assign good fortune to our individual merit, saying that we owe our perches in the upper percentiles of income and education not to our connections but solely to our own IQ, virtue, brio, genius, *sprezzatura*,chutzpah, gumption. Had we been switched at birth by accident, had we grown up in a ghetto or barrio or trailer park, we would have arrived at our offices at ABC News or the Republican National Committee or the ACLU in more or less the same amount of time. The absence of black and Hispanic Americans in our schools and our offices and our clubs can only be explained, we tell ourselves, not by *our* extrinsic advantages but by *their* intrinsic defects. Compared with us (and perhaps with middle-class East Asian immigrants), most blacks and Hispanics must be disproportionately lazy, even (if Charles Murray and the late Richard Herrnstein are to be believed) disproportionately retarded. What other explanation for their failure to rise can there be?"

I would say that although he's writing about America, much of what he says is true in Ontario and in Canada as well. But there is an assumption—and certainly we hear it day after day when talking about those who depend on social assistance by this government—that those who are not reaching the top, who are not scaling the heights of power and privilege in this province, are not doing so only because they don't work hard enough, because they don't have talent, because they don't have any intrinsic merit.

I would say that this is a very dangerous proposition, that this is a proposition which in fact is the very stuff of systemic discrimination. Systemic discrimination depends on those who are the powerful and privileged in a system not recognizing their disproportionate power and privilege, not recognizing that their perceptions of others are filtered through the glass of that power and privilege and that they see others in a very different way because they make assumptions about those others based on all of their socialization and learning.

We heard Mr Clement, the member from Brampton, the other night extolling the virtues of individuality and going on and on about how we need a society where

individuals can prove their merit and that this is why this government has to repeal an act that guaranteed employment equity.

There are those of us who believe we should have community values and community supports, not just individual strength, not just the strength of the fittest, as we might say; who believe that those who are not necessarily finding it possible to reach all the opportunities that should be available to citizens deserve all our support in order to improve their conditions of life, in order to improve their ability to provide for themselves and their families.

There's a little bit of a problem, you see, when this government talks about needing carrots instead of sticks when it comes to employment equity. Mr Clement was very clear: "Carrots work better than sticks. We must give incentives to employers to provide equal opportunity. We mustn't have the stick of a law that requires them to do that; we must offer carrots."

1540

Yet when this government is talking about those who are poorest, those who are most vulnerable, it has no compunction whatsoever in using sticks. The stick of a 22% reduction in social assistance is hardly a carrot. Yet this government says it needs that stick in order to drive people to seek self-sufficiency and independence. I don't believe those sticks are required at all.

Many of those on social assistance have found themselves blocked by the systemic discrimination this bill was intended to relieve. When we look at those groups dependent upon social assistance, we see huge numbers, the vast majority, who fall into the designated group characteristics. We see aboriginal people with an 80% unemployment rate. We see our black communities, where young people are losing hope and losing faith in this system of government and in fact in all our institutions because, try as they may, they see no opportunity of advancement.

Indeed, we did many studies that showed it was not a question of individual discrimination, although, as members of the opposition have pointed out, that often is the case with employment agencies and it often is the case in terms of employment practice. But just our ability to ask questions that bring out the merit in people, our ability to look at differing experiences as being real, is one of those issues that are part of systemic discrimination.

One of the objectives of employers and employees working together to devise the goals they had in terms of diversifying their workplace, in terms of looking at the nature of job descriptions to ensure that those job descriptions did not include in them code words that would ensure that only those who have had those jobs in the past get those jobs in the future, was the ability to look at the whole selection process to ensure that, in the first instance, people know about jobs, that there's an outreach to communities that have the merit, have the training, have the ability but may not have felt welcome in that workplace. That's a very real issue, because if one looks at a workplace which is all made up of people who are

homogeneous and if one looks different or one seems different or has a different way of looking at the world, it is hard to feel welcome to even apply to that kind of organization unless one knows one is welcome.

Part of the whole purpose of employment equity was to get employers and employees together to look at the ways in which they truly open their doors to the wide range of talents available; that we look at our own perceptions and ensure that as we look at others, we are truly looking at their merit, that we are not looking at their skin colour or their relative physical ability or sensory ability, that we are looking at their ability to do the job and that the qualifications for the job are uppermost.

People cannot argue that this has been true when you look at the statistical studies that have been done, when you look at how underrepresented are even those who have the same level of education in this community, the same abilities, when it comes to employment.

All we have to do is look at the lack of use that is made of women in our society. This is the biggest group. This is why this can hardly be called a special-interest group, when 52% of the population is part of the group. When we look at the very real job discrimination that has been found again and again and again in private studies, in government studies, in statistical studies and in qualitative studies, we have seen that in fact it is difficult for those who have always held the power to share their power with the new group of women who are coming up, and we find that that is very real.

Certainly we, as electors, know it's a watchword in all of our parties that for women to win nominations and to win elections, it takes real will on the part of our parties, takes real support on the part of our colleagues. If that support is missing, we don't get it.

Therefore, it's important for us to recognize very clearly that many people with good qualifications, the top qualifications, are in fact often not even considered for the job.

Women still remain, for the most part, clustered in 20 of the occupational groups, which, given the wide range of educational opportunities now available to women, is very, very indicative of the inability of women to move forward.

Many people in the opposition say: "If people really worked hard, if they really tried, they would get ahead. After all, I did." Well, that again is taking out of the equation the benefits we get when we are part of a dominant group.

The claim of the opposition is that somehow there will be interference with business through employment equity. I want to counter this with some of the comments we've had from some of our strongest employer groups in this province.

Mr Robert Rochon, the director of employment equity at National Grocers—National Grocers employs 30,000 workers across Ontario—said: "Regardless of any legislative requirement, this"—ie, employment equity—"is a good business decision for us. When you consider the

changing face of Canada, it just makes good business sense."

National Grocers was one of the groups that acted as advisers to our government in setting up employment equity. That employer adviser group agreed that while there are some employers in this province who are willing, voluntarily, to extend employment equity in this province, a voluntary basis would not necessarily work.

Mr John Hastings (Etobicoke-Rexdale): Why not?

Mrs Boyd: Because it hasn't for years. The previous Conservative government set up a policy of equal opportunity. It gave little titles about being an equal opportunity employer. The statistical evidence shows very clearly that there was very little change in the makeup of the workforce of this province in spite of the changes in availability of well-qualified, highly educated people.

Interjection.

The Acting Speaker (Mr Gilles E. Morin): Just wait for your time. There will be questions and comments.

Mrs Boyd: The member in the corner may want to hold on to his notion that this is some insidious plot to foist people who are not qualified into the workplace, but that is absolutely untrue. No employer and no employee would want to be in a situation where someone was hired only because they're a member of the designated group. Our legislation was very clear: The major consideration had to be qualifications, and only if all the qualifications were met would the issue of the goals already set by that employer in conjunction with the employees be looked at as a factor in a hiring decision.

I quote from a Manulife Financial official who during our employment equity hearings said to those hearings: "Employment equity is not only a legal, social and moral obligation. It is also a commonsense business policy designed to increase productivity, improve our ability to attract and retain talented employees and enhance our position in both domestic and international markets."

I don't think there's any disagreement in this House—or at least the speeches from the government side have indicated that they believe it is in the best interests of employers to use employment equity techniques to ensure diversity in the workplace. The problem is that the statistics clearly show employers do not do this unless they are required to do so; just as pay equity, while everybody said, "Oh, yes, everybody should be paid an equal amount for equal work," did not occur in this province until the previous government brought in pay equity legislation and our government improved it.

My mother would have said that fine words butter no parsnips. I would say to you that the fine words of the Conservatives butter no parsnips, and I would say to you that the fine words of the Conservatives butter no parsnips with the equity-seeking groups when they talk about "individuality," when they talk about "merit," when they talk about "equal opportunity." Those are all code words for the maintenance of the status quo, a status quo in which the groups designated under the Employment Equity Act do not have the same opportunity to fulfil their talent, to fulfil their promise and to contribute to our society.

I would urge the members on the government side to reconsider this ill-thought-out plan of repealing the employment equity bill.

1550

The Acting Speaker: Questions and comments?

Mr John Gerretsen (Kingston and The Islands): I just have a few comments, and the first one deals with a comment the member made four or five minutes ago about how it makes good business sense, that some of the larger companies have voluntarily moved into the area and, as a matter of fact, applauded the program they had to implement. That makes it all the more interesting why section 1(5) of the proposed legislation specifically states, "Every person in possession of information collected from employees for the purpose of the Employment Equity Act, 1993 shall destroy the information as soon as reasonably possible after this act comes into force."

For the life of me, whether you're in favour of this act or whether you're in favour of the old act or whether you're in favour of no act at all, I cannot understand why the government would find it necessary that any information that has been gathered, particularly by large employers, ought to be destroyed.

I can well recall that in 1985 in the city of Kingston we did an employment equity study before there was any need in legislation to do so. As a result of the study, we implemented a program that I think made for a better workplace, made for a more understanding workplace, made for a more inviting workplace by people who applied for positions within the workplace. It would be crazy in a situation like that, surely, to now require employers to in effect have to destroy the kind of information they have collected.

There's no question about it: Merit should rule. The real question is, what do you do if you have employees or a potential number of employees who are equally meritorious—

The Acting Speaker: Your time has expired. I recognize the member for Hastings.

Mr Hastings: My first comment is that whether you're an old member or a new member in this House, the common procedure usually is that you designate the member by wherever they come from. One of the members of the opposition has twice made comment to me as "the member in the corner," so maybe the member for London Centre would prefer to call me the member from hell, since I'm that irrelevant in that context. I am the member for Etobicoke-Rexdale. Maybe they'll finally get it right, and thank you very much for that professional courtesy.

As far as observations on the employment equity bill are concerned, let me just say that if the approach of the previous government was so effective in terms of implementing employment equity plans required by large or medium-sized or small business operators to structure and find out the number and diversity of the folks in their workforce, then why, in the time in which the Employment Equity Commission was up and running, didn't they have more success than they had?

If it was such a marvellous bureaucratic model of efficiency in getting more diversity into the workforce, my point is, why wasn't it done with incentives instead of the heavy hand of penalties and compliance and the usual regulatory approach we've had around here for umpteen number of years?

I've spoken to a large number of people, during the past election and since then, and their point usually is, when you talk about this issue of employment equity, that they do not want the state involved in terms of trying to give them a hand up.

The Acting Speaker: Your time has expired. And, Mr Hastings, I apologize to you; you are the member for Etobicoke-Rexdale.

Mr Rosario Marchese (Fort York): I want to congratulate the member for London Centre for her comments. They make sense to me and I hope they make sense to a lot of the listeners watching this program. I know they don't make sense to the members opposite, but we understand that.

A few remarks: The member for Etobicoke-Rexdale asks a few questions and says, if it was so effective, why have we had no success? I'm not quite sure what he means by all of that. The program has begun only a short while ago. It hasn't been years and years that we have passed this. We have given companies time to be able to compile the information because it takes time in order for them to be able to do that, and so until we have the collection of the data and until we give employers and employees an opportunity to put programs into place to make employment equity effective, how do we know whether it's effective or not? That's the point.

But we need the information, and to offer Mr Gerretsen an explanation as to why they are compelling employers to destroy the data, my feeling is they don't want the data to be collected. They don't want proof to show that we have a problem in the workplace, and so they want to destroy the data, because what the data will show is that the people we're trying to help are under-represented in the workforce. By destroying the data, you won't be able to have yet more evidence of the problem.

The point, to the member for Etobicoke-Rexdale, is that the voluntary programs have never worked. Issues of equity are complicated, most people resist bringing about equity in the workplace, and that is why we need employment equity. That's why this bill was put into place: to bring about, once and for all, fairness to 80% of the population that has not had fairness in the workplace.

Mr Alvin Curling (Scarborough North): As I listen carefully to my colleague from London Centre, it makes a lot of sense, actually. I just hope that some of the remarks and the comments that she made were reflected fully inside the last employment equity bill. I think it was going in the right direction but some of it got hijacked by some of the interest groups.

But as I listened to my colleague from Etobicoke-Rexdale too in his comments talking about the carrot aspect of it, I just want to remind him, of course, as the member for London Centre stated, that that concept has been used for almost 100 years, and what happened? We

found that there are people within our society who have systematically been discriminated against. This government has now gone back to the status quo. They feel now, "Let's go back to the carrot." We're saying it doesn't work. It doesn't work by many, many studies that have shown you blatantly, all the time.

My good friend the Minister of Education and Training is here, and I know his commitment to fairness and, as they made savage attacks on the Education Act in employment equity, that he will make sure that it is back in place, that fairness, equity, will be demonstrated in there.

I was really appalled, as I said, as they go with their hunt of search-and-destroy aspect of it in the Police Services Act and all over, to tell everyone that all is fair. And, as it is stated, it makes good business sense to have all people participate, because they do have merit but they have systematically been shut out of the force. I just want to say, just listen to reason and common sense, if they do have any.

The Acting Speaker: The member for London Centre, you have two minutes to reply.

Mrs Boyd: First, to the member for Etobicoke-Rexdale, the honourable John Hastings, I can understand your error, sir. I could have leapt up on a point of privilege in the middle of your comments, because you attributed something to me that certainly was not something that I felt. I may disagree with you, sir, but I would never use an epithet like that towards you.

I think it's very important for those of us in this House to recognize that what is going on here in this House is a retrograde step. It is a step backward in history, as my friend from Scarborough just pointed out, and the argument that people will voluntarily cede power and privilege to those who are not like them has never been shown to be true in our history.

1600

If we look at the long, long fight for women to win the vote, and then to win some measure of access to education, some measure of access to the working world, you will know that is not true. If we look at the United States, where slavery was abolished a century before legal action made it possible for young people to get an equitable education, we know it is not true.

When we look at the statistical evidence in our own province and in our own society, whatever the expressions of good will which may come from the powerful and privileged overclass in our society that they will suddenly, voluntarily open their doors, we know it is not true.

If it had been true, it would have happened a long time ago. We have wasted the talents and the skills and the education of hundreds and hundreds of thousands of people in this province, and the purpose of the Employment Equity Act was to stop that from happening in the future.

The Acting Speaker: Further debate?

Hon John Snobelen (Minister of Education and Training): As my colleagues on this side of the House have said, and as the people of Ontario know, job quotas

are wrong. They interfere with an employer's ability to hire the best qualified candidate for a job. They do not promote the merit principle. They do create a burdensome and expensive bureaucracy without getting at the root of discrimination.

I agree fully with my friend and colleague from across, the member for Scarborough North, that discrimination in the workplace is wrong. It's not only wrong, it's against the law, pure and simple. The Ontario Human Rights Code forbids it; the Canadian Charter of Rights and Freedoms forbids it.

The bill which is receiving second reading today repeals sections of the Education Act that have implications for school boards in Ontario. They are paragraph 8(1)29 and subsection 135(5) dealing with the affirmative action in employment equity.

It is also my intention to revoke related policy and program memoranda numbers 92 and 111 once the Job Quotas Repeal Act comes into effect.

Policy and program memorandum number 92 was issued by the Ministry of Education in 1986 and established the objective that school boards achieve numerical quotas. Policy and program memorandum number 111 was issued by the Ministry of Education in 1990 and also required school boards to develop and submit plans for achieving quotas.

By repealing sections of the Education Act and revoking related policy and program memoranda, we are ensuring that, like all other sectors, school boards are no longer obliged to meet job quotas.

The mandate of school boards, colleges and universities is to act not only as employers but also as providers of education to an increasing number of students from very diverse backgrounds. I believe that the academic performance and personal growth of students should be supported by teachers who represent the diversity of Ontario society and by an inclusive, bias-free curriculum. In this way, students will be equipped with the knowledge, skills and values needed to fully understand and appreciate cultural diversity. They will also be better prepared to live and work comfortably and effectively in what has become a global society.

Our government and my ministry are committed to fairness in employment and to the removal of barriers in our schools, colleges and universities. We support an educational environment that meets the needs of a diverse society and we are determined in our opposition to discrimination in Ontario's education system.

That is why we are developing a workplace equal opportunity plan to promote equal opportunity for all Ontarians in the education sector. This plan will include a clear policy statement that will provide a framework for school boards, colleges and universities. It will be developed by the ministry through discussions with the educational community. This policy statement will reflect our commitment to restore merit as the basis for hiring, promotion and other employment decisions; remove barriers to achieving fairness for all in the education sector workplace; ensure employment accommodation in accordance with the Ontario Human Rights Code; and

prevent and respond effectively to workplace discrimination and harassment.

Additional elements of our plan needed to help schools, colleges and universities achieve workplace equal opportunity will be identified with input from the educational community. Details will be developed and shared with our education partners as soon as possible.

Many educational institutions have already introduced various equal opportunity incentives at the workplace. We applaud these achievements and encourage our education partners to build on their successes to date.

In addition to developing a workplace equal opportunity plan for the educational sector, the Ministry of Education and Training is developing an anti-discrimination education program. As my honourable colleagues may know, anti-discrimination initiatives are the focus of a number of policies and programs in education. Their intent is to help create and promote a learning environment that accommodates the needs of all students and reflects the experiences and viewpoints of a diverse society.

Initiatives such as the Common Curriculum, the violence-free schools policy and a harassment and discrimination prevention policy for Ontario colleges and universities will be part of our new anti-discrimination education program.

I'm looking forward to working with all of our partners in education in continuing to remove barriers to equal opportunity. It's through our combined efforts, not through legislated job quotas, that fairness will result for all.

The Acting Speaker: Questions or comments?

Ms Annamarie Castrilli (Downsview): I'm happy to respond to Minister Snobelen. I'd like to make a couple of points, first with regard to the protections that currently exist in Canadian and Ontario law: the Human Rights Code and the Canadian Charter of Rights and Freedoms.

The minister has stated that they make discrimination illegal and, to some extent, we agree. But I ask the minister to look in our institutions and see if that's really the case. The fact is that we need an enforcement mechanism. That enforcement mechanism at the moment simply does not exist. That is what employment equity legislation tries to address.

The Human Rights Code is not an effective instrument for enforcement. If you look at the Human Rights Commission, you will see an incredible backlog that not only requires that cases take months and sometimes years to come to the light of the tribunal, but in fact they're not even brought to the tribunal because of the long delays and the long time that it takes and the money it takes for individuals to pursue their case before the tribunal.

I'm interested in what the minister has to say with respect to the new policy that he's proposing. Particularly with regard to colleges and universities, I would say this to you, Minister: The fact is that universities and colleges require a certain amount of freedom. Quotas will not be accepted lightly, but employment equity is not a quota, and that is what you don't seem to understand. Employ-

ment equity is an affirmative action plan. It's a plan that provides equal opportunity that does not require legislated levels of participation of people.

With respect to your anti-discrimination policy, may I suggest to you that the best way to assure that there is no discrimination with regard to students in colleges and universities is that you have a clear plan for funding for universities and particularly for students in order to ensure that there's accessibility in the schools.

Mr Marchese: I want to be able to say that what this government has done with Bill 8 in repealing Bill 79, and in addition to that also adding to it aspects of what we have done under the Education Act and the Police Services Act, programs that brought about greater fairness for women, greater fairness for the designated groups—having shown that it was effective and that it worked, they destroy it, they eliminate it. We've shown through the other two sections that they're repealing in the Education Act and the Police Services Act that it was working. Because it was working, they're destroying it.

1610

In this regard, all I want to say is that this minister should be ashamed of standing up to speak to an issue that was working and he eliminates it. Then he says, "Oh, it wasn't working, but we're going to make it work," and he talks about eliminating barriers. Bill 79 was about eliminating barriers, that's what it was about, but he stands up and says, "We're going to eliminate barriers." If Bill 79 was intended to eliminate barriers, how will his equal opportunity plan eliminate barriers where there is no plan? There is no plan. They haven't brought a plan. We're not going to get a plan. There will be no enforcement of the plan. There will be no way to measure that plan.

How this minister can stand up and say that this bill restores merit is an embarrassment, because clearly he hasn't read the report, clearly he knows nothing about Bill 79. Bill 79 is about merit; it's about affirming merit. He knows that, and I urge him to read that report before he makes those irresponsible comments.

Mr Curling: I listened very carefully to my colleague the Minister of Education. I think that he has more confidence in what his government is doing than the people outside in Ontario, because the fact is that I had hoped somehow—and I know that he will get around to addressing this aspect of it. I will emphasize again that Access to Trades and Professions is a very good document to look at. That policy and that paper said very plainly that there are people who are shut out, those who have merit, from participating in the system.

I want you to look very carefully, Mister Minister, at many of those professional organizations that feel they can control people from coming in, those who have merit. That's what employment equity is about: allowing those people to participate and play a role and be productive in our society. Your government has continued to look at other programs, like the ESL program, and not fund them itself. These are people who are qualified—just give them the necessary tools with which to have access, to come in to participate in society—who are shut out. Just take a

very close look, and I will emphasize it: The status quo is not working. It did not work. It shuts people out.

I was rather excited about the fact that my colleague who was making a comment from the NDP side, who talked about merit itself, the member for Fort York, actually did not—I think that government did not understand fully the scope of employment equity, because you don't cut deals with interest groups. You make things fair for all people. You don't cut deals with the unions and what have you, because the fact is employment equity is about fairness to all. The white male who is qualified must participate in society and must not be shut out; the black male or the disabled, whoever, must do that. So let's address those issues in a fair way.

Mrs Boyd: I'm pleased to make a comment on the minister's speech as well, because I too was a Minister of Education. He must be encountering many of the same things that I did as I went around the province talking to student groups and parent groups and community groups.

One of the realities of Ontario today is the diversity of our communities, not only in Toronto—there seems to be some belief that diversity is only an issue in Toronto. It certainly is an issue in London and Ottawa, in Hamilton, in Sudbury, in Thunder Bay, even maybe in Lake Nipigon. I'm not certain of that, but certainly in terms of aboriginal people the first nations are very much represented in the riding of Lake Nipigon.

When I was Minister of Education, I was hearing from all those groups and from educators of teachers that there was real concern about how the teaching profession, how the schools, how the universities and colleges in our province were going to meet the needs of that diversity and how, having held out an equitable education to young people and given them an opportunity to become educated, we were going to guarantee them that they would be able to find jobs in their chosen profession of teaching.

The Southeast Asian Teachers' Association, for example, was deeply concerned and could show instance after instance after instance where higher qualifications, stronger teaching records and better ability to meet the needs of a diverse population were available to teachers who had not been hired by school boards that were not hiring equitably.

We hear instance after instance of that from young people who have gone through the training, who have high, high marks, and who find themselves not able to get jobs at the end. The only explanation that they have is that they have been shut out because they are not part of the dominant community.

The Acting Speaker: Minister, you have two minutes in reply.

Hon Mr Snobelen: To the member for Downsview, if I can—

Mr Marchese: Fort York.

Hon Mr Snobelen: Yes. We only have two minutes. I'll talk to the member for Downsview for just a moment. I can give you this advice: If it looks like a quota, if it sounds like a quota, if it smells like a quota, it's a quota.

To the member for London Centre, I'm very aware of the diversity of Ontario. I come from the region of Peel, from the city of Mississauga, where we're very proud of being one of the most diverse communities in the world. I understand very much the need for our classrooms to look like our communities, and I think that's something we all need to work towards.

I am also cognizant of the fact that in my riding there are many small business owners who resent—deeply resent—governments or any others accusing them, with no evidence, of discriminating; accusing them of using discriminating work practices. We do not find that in our tour of my riding, ladies and gentlemen. We find people in the business community who value the skills they need, who value the skills from around the world that they need to get along in the business world today. Most business competitors, if not all, understand that we have to look global if we want to participate globally, and that's one of our great strengths here in Ontario.

To my friend the member for Scarborough North, I know that he makes his statements very seriously. I want him to know that we have looked at much of what he has said this afternoon and that we also are very concerned with making sure that the people who come to Ontario from around the world have their qualifications recognized in Ontario. It makes sense for the province and it certainly makes sense for those people.

The Acting Speaker: Further debate?

Ms Castrilli: Let me begin by saying that it's clear to me that the government has adopted a strategy of throwing as many pieces of legislation, as many issues as it can at the opposition, leaving as little time as possible for debate.

The intent is not for the government to appear efficient and committed to its agenda, as it states, but in fact to attempt, in an undemocratic fashion, to try to overwhelm the opposition and its critics, to stifle the opportunity for the public and the members of this House to debate fully the real issues. This was visible in the government's handling of Bill 7 and is noticeable again in the handling of Bill 8.

Ontario is blessed with a rich and diverse population. Well in excess of 60% of its people are women, minorities, aboriginal and the disabled. My own riding of Downsview represents this reality very well, and you should know, as the Minister of Education and Training, that in my riding we speak well over 85 languages. Yet our structure nowhere reflects this reality, this diversity, at the highest levels: not in any government body, not in any government agency, not in any court, not in any institution. No executive board, no board of directors and no managing body of any major corporate organization even begins to approximate the demographics of Ontario. These facts testify to the need for special considerations in the employment field.

1620

The term "employment equity" was first introduced by Judge Rosalie Abella in her 1984 commission report, *Equality in Employment*. Judge Abella explained:

"Equality in employment means that no one is denied opportunities for reasons that have nothing to do with inherent ability. It means equal access, free from arbitrary obstructions."

Disadvantaged groups often encounter higher levels of unemployment and underemployment, lower pay for equal qualification and lower participation in positions of authority. Therefore, the goal of employment equity is to balance the variation between disadvantaged groups and their advantaged counterparts in terms of economic participation, pay and opportunities.

Let me cite some interesting facts. The Economic Council of Canada explained in 1992 that racial minority immigrants earned much less than expected on the basis of job qualifications such as education and work experience. For example, black male immigrants often earn 20% less—that's after adjusting for other factors that are known to influence earnings, such as age, education and urban residence.

Today, despite all of the rhetoric, women in Canada continue on average to earn only about 65% of men's wages while clustered in only about 20 occupational groups. The percentage of Canadians reporting disabilities is approximately 15%, a sector of society that we know all too well suffers from a much lower average income. These are statistics, not my interpretation.

Unemployment rates for disadvantaged groups generally hover far above the national average, particularly among aboriginals, with as high as 30% unemployment, and the disabled, as many as 15% of whom are generally without jobs.

It is clear from these and other indicators that we, as a society, have a long way to go to create a truly even playing field. We must wipe away any and all biased beliefs that members of these designated groups are in any way not as capable as others. It is a fact that racism, discrimination and sexism are very real social problems and we must endeavour to dig them out of the foundation of our society.

Clearly, there is need for employment equity. It confronts workplace norms and strives to ensure that our working environments reflect not only a select few but all of us, all of our brothers regardless of colour, all of our children regardless of colour and disability and race.

Employment equity addresses the systemic biases inherent in our system, biases against those who have little or no power, traditionally women, minorities and the disabled. These are biases that exist not because our system is malicious but because it ignores merit in a significant part of its population, preferring instead to focus on race, colour, gender and disability.

The Progressive Conservative government may well choose to believe that discrimination is no longer a problem faced by large numbers of Canadians. Such a belief is not only wrong, it is irresponsible. Systemic discrimination continues to hamper the hopes and aspirations of so many in Ontario and across this land and it is this systemic problem that we must address continuously in pursuit of fairness for all Ontarians.

We have made some strides in the last couple of decades. We are witnessing a larger number of aboriginal youths entering schools and entering the workplace, offering greater opportunities for this community; disabled Canadians have developed greater confidence and hope and are seeking employment in greater numbers; immigration levels in Canada continue to bring large numbers of new citizens to our country, increasing the proportion of visible minorities; and women continue to enter the workforce in larger numbers and for longer periods.

Nevertheless, the inequalities persist, and now is not the time to ignore the facts or our social responsibilities.

Far from being a burden on society, these Ontarians want to be productive members of that society, but they need a chance: a chance to learn, a chance to be considered and a chance to shine. For many, this cannot happen without creating a level playing field—not job quotas, not job quotas at all, but equal opportunity for jobs. Job barriers and glass ceilings must be torn down in favour of the merit principle, for all and not just for a select few.

That is what real employment equity is all about. It most assuredly is not about the unskilled and the unprepared being promoted because of their origins, colour or their gender. It is about having regard for their abilities despite their origins, colour and gender. Our society can only benefit from ensuring that all our residents are allowed to use all their talents for the benefit of all. This is the Ontario I want my children to grow up in and this is the Ontario all our children should experience.

This past summer, Omnibus Consulting Inc surveyed 221 Ontario employers regarding their intentions with respect to employment equity under a Tory government. It may surprise you, but the results are quite telling: 70% of those polled in fact said that reform or repeal of the law would have little effect on their conduct because employment equity is simply good for business.

As an example of business's belief in a balanced playing field, Robert Rochon, director of employment equity for National Grocers Co Ltd, stated to the media his continued support for employment equity. As the member for London Centre has already noted—and I'd like to cite Mr Rochon's quotation in its entirety—Mr Rochon emphatically believes in the merits of employment equity. I quote:

"Regardless of any legislative requirement, this is a good business decision for us.... When you consider the changing face of Canada, it just makes good business sense to reflect the customers that you serve."

North American Life Assurance Co, Chatham's Union Gas Ltd and Toronto's Wellesley Hospital are just some of the other employers on record as supportive of the employment equity goals. Clearly, there is widespread belief that we as a society have a role and must continuously strive to break down the barriers to opportunity. This is Canada. This is what Canada is all about.

Yet once again this government is apparently finding it very easy to destroy legislation and programs while offering very few alternatives and solutions instead.

We've all seen in this House how they reduced welfare benefits and created no job programs, we've seen how they've decimated child care and provided no alternatives for working parents, and now the same is true with employment equity.

You will recall that during the election campaign, the Tories promised to replace the employment equity legislation with an equal opportunity plan. While the government has stated that it is working on such a policy—we've heard the minister say that—we have yet to see any evidence of this. There is no plan in place to deal with inequities: inequities in education, inequities in training, inequities in opportunity.

It is clear that the government does not believe safeguards for the most vulnerable citizens are important enough to introduce simultaneously with the dismantling of the current system. We seem to destroy very well; we don't seem to build well at all in this House. Anyone can tear down walls, but it takes foresight, compassion and—need I say it?—imagination to present something constructive, to build a fair society. Ontarians expect leadership and direction from their governments. This government is failing to live up to that challenge.

1630

With the elimination of employment equity legislation, Ontarians need to be assured that other safeguards are implemented to prevent a complete reversal of even the small gains that disadvantaged groups have experienced in recent years, gains that have been to the benefit not only of the individuals involved but for the whole society, something we should bear in mind. A productive member is a productive member for society, not just for themselves.

To ensure true equality of opportunity in the workplace requires a strong ethical, social and economic foundation upon which we can continue the construction of the even playing field.

You will recall that the Tories stated during the election that a key ingredient of such a goal is an improved education and training system that ensures all Ontarians have the skills needed to compete in the workplace. Nevertheless, we have witnessed no movement on the part of this government, despite what the minister has said, towards an improved educational system. In fact, the government has made no major announcement, no policy proposals, no mention at all of post-secondary education other than to cut funding and slash training programs and initiatives. This is not foresight, this is not compassion, this is not intelligence and this is definitely not leadership.

I encourage the government to spend a little less time attempting to eliminate legislation and legislative memories of past governments and spend a little more time developing policies that will truly reform government in a productive manner.

There must be much more communication and consultation with the people of Ontario—particularly those stakeholder groups most affected by government action—and less rule by decree. This is the essence of good governance. I should not have to remind the government

that it has the awesome responsibility of representing all groups in society, not just the privileged.

I call on the government to reconsider its position on this misguided piece of legislation.

The Acting Speaker (Ms Marilyn Churley): Questions and/or comments?

Ms Frances Lankin (Beaches-Woodbine): I appreciate the comments of the previous speaker. I am actually very pleased to hear that kind of support coming from a member of the Liberal caucus. I know we have had differences at times in our approaches to our previous government's legislation. I remember during the election campaign hearing her leader talk about "mandatory opportunity," and I have to say I was quite confused about what those words meant and what the impact would be.

But I appreciate the words of the speaker today, because I think she in many ways has addressed the challenge that faces us in the province of Ontario today, in this field and many others, as we see legislation being taken apart and don't see constructive alternatives being put in place.

I want to share with you just for a moment the importance of this legislation and why I agree with the member's comments. In 1976, I had an opportunity to become an employed member of the Ministry of Correctional Services, in a position as a jail guard at the Don Jail in the city of Toronto. You may know that is a profession that, particularly at that time, was a male-predominant profession. I was one of three women hired. Each of the three of us was put on a different shift—it's a 24-hour operation—so there was only one woman working in the institution at any given time.

This was this institution's answer to an equal opportunity mandate that had come from the government of Ontario to them. This was voluntary employment equity. It didn't work. Let me tell you that it was a very long time and a very hard journey to encourage more women to come into that workplace and, of course, the management structures to open up their selection process to even consider women.

For those of you who talk about merit, I appreciate the qualities and the importance of merit and want to see the best people hired for the jobs, but let me tell you, too many times the best person is overlooked because of discrimination, because of bias on the part of the person doing the hiring.

Voluntary employment equity or equal opportunity is not going to erase that very real fact. I think your approach is wrongheaded. I'm sorry to see that you're headed in that direction.

Mr Hastings: I would like to point out that this whole criticism from the opposition benches that this particular policy can't work, won't work, is a direct repudiation of their own policy. Where is the proof or the evidence that it was working?

Even the member for Downsview has conceded that there was little statistical evidence that there were major gains being made by women in the workplace. She

quoted the statistic of 65% of earning capacity. If an Employment Equity Commission were the real approach to this, it should've speeded it up almost overnight.

The problem here is that we have an approach which is social engineering of the worst ilk. It doesn't work any more than, as they say, the voluntary approach; it's failing, if we're looking at it in a philosophical sense.

To me, the real problem is not to have a group of bureaucrats dealing with the situation; we need to be meeting, as part of an equal opportunity plan, with those particular professions and trades to find out where we can create a plan of equivalencies, when people come from new countries from around the world where the rate of education and progress is somewhat different or significantly different from what we find in the Ontario or Canadian model.

That's where we have to put some work: into an equal employment or opportunity plan instead of using the state's power to say, "This is the way you will develop social engineering; this how we're going to plan your life." People in the outside world—of which we're not the privileged—want to see opportunity, but they don't want to have a bureaucrat telling them how they're going to implement the approach.

Mr Joseph Cordiano (Lawrence): I concur with the remarks made by my colleague the member for Downsview. How eloquent she was in making those remarks. I thought her comments were succinct, laid out the case very concisely, and all in all she made some very relevant points.

At the end of the day, obviously we're talking about very little here, because the government's bill talks about nothing. It attempts to do nothing, so there is not much to talk about with respect to Bill 8.

On the other side of the equation, Bill 79, the previous government's legislation, had difficulties within it that I think we could not live with, and ultimately changes were necessary. My colleague pointed out what some of those changes might be.

We fundamentally agree with the principle of employment equity. We have always agreed with that, and we will continue to advocate for some form of legislation which would put in place those key goals and objectives to bring about employment equity.

I think the governing party, the government, fails to understand that there are systemic barriers in our society, fails to understand that there has to be motivation on the part of employers. That motivation, I believe, has to come from legislation introduced by government.

If that weren't the case, we would've seen a great deal more improvement in our workplace, and we have not seen that improvement over the number of years that we've been talking about this issue. There has not been substantial progress made, and that is why we need to have some directional change by the government and some legislation.

Mrs Boyd: I also want to congratulate our colleague from Downsview for the stance she has taken on employment equity; and express, as the member for Beaches-

Woodbine did, that should have been in the House when Bill 79 came through.

I should say that as we look at this whole issue, unfortunately, the member for Lawrence is wrong. This bill does something very serious and very drastic. It takes away the hope and the possibility from a lot of people in designated groups who were looking forward to having an opportunity, a real opportunity, to seek work and to work within their chosen field. It's terribly important for us to understand that the repealing of a bill that took as much time and energy on the part of the communities affected to work with government and to work with employers to make this act possible is a very serious thing.

1640

I should say that the whole idea that this is not much, the taking away of this opportunity, is very distressful to me. What happened over the two and a half years that we were working on this bill with the communities—with employees, employers and the designated groups—was a real coming together of the understanding that opportunity is more than fine words.

With respect to the comments that the member for Etobicoke-Rexdale made in response to the member for Downsview, I would just remind him that the first deadline in the act was for September 1995 and the other deadline stretched out for five years. His claim that government can't do it is simply wrong, because government didn't have a chance to help. The commission did not have a chance to vet plans or to ensure that plans were working, because the deadline had not been met for one plan.

The Acting Speaker: Thank you very much. The member's time is up.

Mrs Boyd: This government cancelled the deadline.

The Acting Speaker: The member for Downsview has two minutes to respond.

Ms Castrilli: Let me say first to the member for Etobicoke-Rexdale how delighted I am that he has such an interest in this issue. It's unfortunate that he's totally wrong on it, but I'm delighted that he has an opinion, however wrongheaded it might be, and I will defend his right to be wrong at every turn.

Let's deal with some facts. First of all, the member for Etobicoke-Rexdale seems to be anti-bureaucracy. We've heard him say that time after time. That's his standard answer to everything. Well, sir, the reality is that the plan that you have in mind, the plan that you seem to have announced here—and, frankly, you're the first to announce such a plan; I assume you have the authority to do that—I think would require even more bureaucracy than anything we've had to date. It will be interesting to see what it is that you come up with in the future.

The second point I'd like to make is that I'm really not sure where you get the information that my position is that employment equity has not worked. All I said was that the gains were small and we should keep trying, and that means a strengthening of practices, not an elimination of practices altogether.

The problem with what the Tories are proposing is that they're dismantling something and providing nothing in return. That's what's wrong with what you're proposing.

Let me also just say in closing that I agree fully with the member for London Centre. Opportunity is more than fine words, and, quite frankly, all we hear from the government side is fine words over and over again. Enough of the rhetoric. If you really believe in opportunity, let's see a plan.

The Acting Speaker: Further debate? I recognize the leader of the third party.

Mr Bob Rae (York South): I'm very pleased to take part in this debate, though I must say it's the first debate I've ever spoken to in the House where the bill is based on a lie. To be perfectly blunt, the bill states in its title that this is An Act to repeal job quotas and to restore merit-based employment practices in Ontario. There are no job quotas in the province that I'm aware of, and merit-based employment is widely practised and widely shared and it's a practice that all of us support.

It's no accident that there is a lie in the title of the bill. There's a lie in the title of the bill because the entire Tory campaign in the last election was also based on a lie. The lie was that there was a practice in the province of job quotas, the lie was that this was something that was sanctioned by the government, and the lie was that there was legislation in the province which endorsed quotas. That is a lie. It's a lie which is based on the premise that the bigger the lie and the more often you tell it and the louder you shout it from the rooftops, the more likely it is to be believed. But I would say to members of the House that it's one thing for the Tories to run their campaign on a lie and it's another thing to base their legislation on the same premise.

Let's go back in time to the origins of this debate in this House. The members opposite who are in the House today will not be familiar with any of this because it predates their political lives.

Back in the 1970s and 1980s, there was a growing feeling across the province that in a great many professions and walks of life it was becoming intolerable that they were not accessible and they were not reflective of the changing makeup of the province. We had the situation where high school principals were in the 90 per cents men, where public school principals were in the 90 per cents men. We've got a situation where even today in our public schools, the vast majority of public schools, the teachers are women and the principals are men. That's still the case today.

It's changing, it's evolving, it's reforming and it's improving, but I dare say that it would have not have improved without the pressure of legislation and the pressure of opinion changing and shifting, the two together.

I can recall raising issues and questions, and my colleagues in the House, in the early 1980s looking at situations in policing, looking at situations in education, looking at situations in the public sector, and then we began to turn our attention to problems in the private sector.

We were not alone in this. This was not some ideological agenda of the New Democratic Party. It was shared widely in the Liberal Party. It was shared widely on the federal scene. The federal Conservative Party appointed Rosalie Abella, now Madam Justice Rosalie Abella of the Court of Appeal, to write a report with respect to the situation in Ottawa. This report came down, Judge Abella's report, which very clearly established that there were significant problems of discrimination against women, of discrimination against visible minorities and disabled people, which discrimination was systemic and which discrimination required a positive response from governments. The federal government, under the leadership of Brian Mulroney, brought in such legislation. It was modest, it was not revolutionary, but it was a step in the right direction.

We then began to push here in Ontario for a similar direction. We had meetings during the time of the accord negotiations in which the question of employment equity was on the agenda. My colleague from Scarborough, who for some reason has moved his seat—I'm not quite sure why, but he's still my colleague from Scarborough and my good friend—was a minister in the Peterson government and he will recall the discussions that he and I even had, personal conversations in which we said there are areas in which we need to make significant progress, policing being one of them, and in which we agreed that this needed to be done.

Joan Smith, who was the Solicitor General at the time, agreed that it needed to be done and we needed to look at those areas and professions where progress could be made. I'm sorry to say that we did not make as much progress as I would have liked in the years between 1985 and 1990, but we made some—not as much as I would have liked, but some was made.

We then decided that we ourselves would carry out a very broad-based consultation, led by my colleague Elaine Ziemba, whose leadership in this area has been simply outstanding; widespread discussions with the private sector, widespread discussions in the public sector, a white paper brought out, discussion carried on, legislation brought forward, significant amendments to the legislation and a broad acceptance within the private sector of what it was that we were trying to do.

Whole groups of companies were excluded from the legislation. All this description by the member for Etobicoke-Rexdale who just spoke, this description of somehow a bureaucrat was going to decide how opportunities would be established—false, totally false. He clearly hasn't read the legislation, doesn't know anything about it. I'm sure he hasn't even seen it.

Ms Lankin: Just repeating the mantra.

Mr Rae: He just repeated what he said on the campaign doorstep. I've never heard a debate that's been so full of total misrepresentation and, frankly, lies. Lies, lies, lies; it has to be said.

You talk about job quotas; that's a lie. You talk about the importance of merit and say that there's no provision for merit; that's a lie and it has to be said.

What you are doing with this legislation is taking this province back—not prior to 1990. You're not taking this back—it's just what you did with Bill 7. You are carrying out a Reform, Preston Manning agenda in this House. We can see it on the Constitution. You're trying to turn Ontario into a colony for the thinking of Preston Manning. It's preposterous that in the Legislature for the last two days we've tried to get the Premier and the Minister of Intergovernmental Affairs to recognize that we're not a colony of Preston Manning. I'll be damned if I'm going to sit around and rest quietly while these yahoos in the back try to turn this province into a colony for the Reform Party. I will not stand for it.

1650

You've got nothing to do with Progressive Conservatism. Bill Davis would not have stood for this kind of nonsense. Even in policing, even in education, you're setting us back. You're going to turn the province into the social policy laughingstock of Canada. Other provinces are recognizing the need to move ahead in equity, the need to move ahead in diversity, the need to understand the need for opportunity. This group of Reform Party yahoos is taking us in the opposite direction. The only people who are raising the issue of employment equity in the House of Commons and saying that they're opposed to it is the Reform Party, and we have exactly the same philosophy at heart here in the province of Ontario.

I see my colleague the member for Frontenac-Addington is sitting very quietly in the back. He will know perfectly well; he was a member of the caucus, he was a member of the party in power in Ottawa between 1984 and 1993 that passed legislation in Ottawa on employment equity. He voted for it, and here he comes in and says, "Not only are we going to repeal the entire legislation; we're going to go back to the Police Services Act" and all the elements that we've tried to bring in, critical for social peace, critical for diversity, critical for making sure that policing is reflective and representative of the community, and even that you people aren't prepared to support.

It really is a group of people who are so determined, in the name of their own ideology, to reverse direction in a way that just takes away fundamentally from some of the great social progress that needs to be done. If the party opposite had said, "There are some things about this legislation that we want to amend," I think we all would have understood that. Clearly they won the election; they have a mandate to do that.

But this notion that nothing good ever happened between 1985 and 1995 and they're the only ones who ever thought of anything original—my God, what incredible, stupid arrogance. What a stupid arrogance that's in place, arrogance that's based on a lie, arrogance that's based on a systematic ignorance of what's going on in the province, of the need of diversity. Your party doesn't reflect the diversity, your caucus doesn't reflect the diversity, and therefore you say, "so we don't want anybody else to reflect the diversity." It's a disgrace; it really is truly a disgrace.

There is a problem with police. There are problems with the structure and the makeup in our educational system. There is a problem facing university teachers. There's a problem facing all of our institutions, both public and private, with respect to diversity and with respect to making sure that people of disability, to making sure that women and men have equal access to positions of responsibility. If the members opposite don't want to admit that, if somehow they think they were elected to carry out some Neanderthal policy of patriarchy for all time, I'm sorry, I don't subscribe to it; I think it's wrong.

If they're afraid to do the decent thing for the province of Quebec, I'm not afraid to say that's what needs to be done and I refuse to be intimidated and told, "You're in a bad mood today so you're not allowed to even talk about that issue." We are going to continue to talk about it.

I do not think it's right that the brain, the mind, the heart and soul of this province should be taken over by a mean-spirited, right-wing, Republican, Newt Gingrich ideology in the name and the face of the Tory party of Ontario. It's not something that should be allowed to happen. When they bring in this legislation and they base it on a lie, you're going to get a response from this party and from this group of individuals.

You cannot rewrite history, you cannot pretend that history didn't happen, you cannot pretend that progress was not made and you cannot deny it, even to the point where under section 5, look how far the oppression is supposed to go. Those employers which have carried out, because they think it's the right thing to do, because it's positive and progressive, whether it's the CBC or private broadcasters or anyone else, who have now collected some information for the purposes of complying with employment equity, all that has to be destroyed.

You talk about oppressive, you talk about intrusive. The member for Etobicoke-Rexdale talks about the power of the state. What could be more preposterous than saying to employers who have legitimately been gathering information for purposes of employment practices, in some cases for years, that they all have to destroy that information? What could be stupider as an example of public policy?

This government is dead set on everything. Every day is a new announcement: today workers' compensation, no mention of the progress that was made, no recognition of the fact that big steps were being taken, no recognition of any of that—no, no, no, all done in the name of a narrow ideology, and in this case it's an ideology which is based on a lie.

They lie when they say there are job quotas. There are no job quotas. They lie when they say we have to restore merit-based employment. There's always been merit-based employment and we all support it. That is how the Tory party got elected. They got elected on a lie and now they're trying to pass legislation on a lie, and I think it's a lousy idea.

Mr David Turnbull (York Mills): On a point of order, Madam Speaker: I would ask the leader of the

third party to withdraw the suggestion that the Tories are lying. This is not parliamentary language.

The Acting Speaker: I would ask the leader of the third party—he has offended certain parties in the government party—if he would apologize. He has that opportunity to do so.

Mr David S. Cooke (Windsor-Riverside): On the same point of order, Madam Speaker: I think the rules of this place are very clear. You cannot accuse another member of the Legislature of lying. The speech that the leader of the third party gave was very clear. It talked about the campaign policies that were put forward by the Tory party. There's no accusation of a member of this Legislature and there were no rules or traditions of this place offended.

Mr Curling: On the same point of order, Madam Speaker: I think I listened very, very carefully and I heard the leader of the third party state very emphatically that the concept was based on a lie. I didn't think he called anyone a liar over there and I don't think that he was out of order at all.

The Acting Speaker: If I may, to all members on the same point of order: Before we continue with this, it is clear that the leader of the third party did not accuse anybody on the government side, any individual, of lying. What I have said to the leader of the third party is that some people found his language offensive and he has been given the opportunity, if he so wishes, to apologize for that. But the rules are very clear and the member did not break those rules. He did not refer to any individual as a liar or say that anybody told a lie.

Mr Gilles Bisson (Cochrane South): Madam Speaker, on the same point of order.

Interjections.

The Acting Speaker: Order, please. Is this on the same point of order? I've ruled on that point of order. We'll now move to comments and questions. The member for Cochrane North.

Mr Bisson: South.

The Acting Speaker: South. Oh, I'm so sorry.

Mr Bisson: I must give you a geography lesson, Madam Speaker. Cochrane is a wonderful district, but there's a southern and a northern part. I represent the south.

I want to take this opportunity to comment on two points from my leader in regard to this bill. I totally agree with the member's assertion that what this bill is, quite frankly, is a big lie. If members of the opposition take that as offensive, it is not meant to be offensive; it is meant to be the truth.

1700

The act clearly states under Bill 8—and I'd read the title of the act. It says, "An Act to repeal job quotas and to restore merit-based employment practices in Ontario." This bill has nothing to do with repealing job quotas, because job quotas never existed. Under the employment equity legislation of the NDP government that was passed some few years ago, it was very clear that the act never spelled out that there would be quotas that would be

applied to any hiring practices within the province of Ontario. To further assert through this bill that we're restoring merit-based employment is totally preposterous and is a lie, because we've always had merit-based employment in this province prior to Bill 8 and after Bill 8.

So for the members to get upset on the other side because the leader of the third party, my leader, Mr Rae, has said that this act, as in the title, is a big lie—he is totally true, and I think the case is very well put.

On the question of wahoos, I think he's 100% right. You have a bunch of ideologically driven wahoos in the opposition who believe that they're going to go out and they're going to restate what this province is all about. This province is based on a series of events that have unfolded over a period of time, of history, which have stated where we are as a people in this province. For these wahoos in the government to come forward and all of a sudden start reasserting their view of things on this province, I think is not only wrong, it is mean-spirited, and yes, they are wahoos.

The Acting Speaker: The member's time is up. Further questions or comments? I recognize the member for Niagara Falls.

Mr Bart Maves (Niagara Falls): For the last 10 minutes here and previously I have flipped through the member for York South's hero, Edmund Burke, and I can't find the word "yahoo" for the life of me. So where he pulled that out of, I don't know.

On the one hand, the opposition continues to admit that large companies are already hiring from across all of society's groups because it's good business. I agree. I say yes, they are hiring from across all of society's groups. Why? Because these people are qualified and they deserve the job. That's the point. If businesses are doing this now of their own volition, as the people on the other side continue to say, then why do we need a \$50,000 fine hanging over their head? We don't is the answer.

We obviously don't have a society completely free of prejudice. Nobody does. But you can't get rid of the categorization of human beings by enshrining that very same categorization in legislation. I firmly believe in the power of education to enlighten, and it is education that is the key to developing a non-prejudicial society.

Mr Curling: I just want to make some comments about the member for York South, the leader of the third party. There's no doubt that his passion for equity can't be challenged. I know that he believes in it very strongly. The good thing about this House is that while we agree with all of that, sometimes we can have a bit of disagreement. But there's no hesitation at all for me to say that I don't have this kind of doubt with that leader. He believes in the issue.

I could tell you something: Even though we didn't vote for that bill in the Liberal Party, they had public consultations, they went all over. We heard many, many people come in and criticize and support that bill.

What appals me, actually, is that this search-and-destroy legislation that came in has no policy, no plan. We just keep hearing announcements all the time about

this. You have gone about and destroyed what was in place, not that we fully and totally agreed with it. But the fact is I can't believe that the Minister of Citizenship, the Minister of Education and the minister responsible for the police would come in here and fully agree with that.

I would say to you it's rather a shame on all your parts. I expected somehow in that process, as you listened to some of the intelligent representation that has been put forward, it might convince you somehow to show some compassion and reason, the fact that all people of this province would like to participate, to make a contribution.

If you continue to bring legislation in that goes back and is regressive in its form, back to the status quo where there was no participation, we're going to say, "Shame on you," and you shall pay for it in that sense. We hope that somehow we have more public consultation and that we have some sort of plan that's brought in place.

I want to commend the member for his excellent presentation.

Mr Peter Kormos (Welland-Thorold): Just a few days ago, down in Thorold, where the March of Dimes, in conjunction with the Association for Community Living—and I know the member for Lincoln was with me—was unveiling their new centre, designed to demonstrate and illustrate and be a resource centre to accommodate persons with disabilities in their homes, why, on the door entering this building was a précis of the Employment Equity Act as it has existed.

The folks in that building, the folks working with the March of Dimes and the volunteers and the many, many people who avail themselves of the services provided by community living programs and the March of Dimes, were certainly in a bittersweet mood. They relished the chance, finally, to access workplaces, you see, because accessibility isn't just about building ramps.

Unfortunately, there's some pretty reactionary perspectives out there that suggest that if you widen doorways and build ramps, that means accessibility. Accessibility means making sure that people live in decency and dignity and that people are entitled to work at decent jobs with decent pays, regardless of who they are, what they are and regardless of whether they suffer from or endure a given disability.

Unfortunately, this government cannot explain to those people from the March of Dimes why it's tearing that poster down off the wall, the employment equity rules and standards in précis form. It can't explain to those people from the March of Dimes and similar organizations of volunteers and activists why the door is being slammed in their faces, why they're being told that "This Ontario does not include you."

I say it's a shameful exercise on the part of a government—

The Acting Speaker: The member's time is up.

Mr Kormos: —that clearly has no interest and certainly no concern—

The Acting Speaker: The member's time is up. Thank you very much.

Mr Kormos: —about our disabled citizens.

The Acting Speaker: The leader of the third party has two minutes to respond.

Mr Rae: I used strong language because I believe that only the strongest of language can describe my views when somebody brings in a bill that in the very title talks about repealing something that doesn't exist. They do that for a reason.

I can't recall a piece of legislation—people want to say that something's out of order. I'll tell you what's out of order. How about an act that in its very name talks about something which doesn't exist? Is that not intended to frighten people or to create a false impression? I can't imagine anything more likely to create a false impression in the minds of people. This isn't the title that would have come from the government drafters. This is a title that comes straight out of the Common Sense Revolution, straight out of that political document.

So I say to members opposite, you carry out that kind of partisan politics, you bring in that kind of language and you use those kinds of measures, and you're darn right, I'm going to use very strong language to describe it. I do not think the public policy agenda of this province should be hijacked by the kind of right-wing ideology that you people represent, and I intend to continue to say that and continue to express it in the strongest possible language, and for that I will make absolutely no apology.

The Deputy Speaker (Mr Bert Johnson): Further debate?

Mr Joseph N. Tascona (Simcoe Centre): It is with great honour that I stand here today to represent my riding and to support my colleague the Minister of Citizenship, Culture and Recreation in her introduction of Bill 8, An Act to repeal job quotas and to restore merit-based employment practices in Ontario. I've had the pleasure of briefly speaking in this House since my election on June 8, but this is my first opportunity to speak on the reading of such an important piece of legislation as Bill 8.

I would like to begin by thanking the constituents of Simcoe Centre for placing their trust in me to represent them at Queen's Park. It is a challenge and responsibility I accept with pride.

Simcoe Centre is a dynamic riding, the fifth-largest in the province. In the south, it stretches from the town of Bradford West Gwillimbury, Ontario's agricultural heartland, and the town of Innisfil, a fast-growing municipality that is becoming a gateway to commerce and recreation in the north. At its centre, my riding includes my home town, the beautiful city of Barrie, and to the northwest it contains the southern part of the township of Springwater, formerly known as the township of Vespra.

1710

The people of Simcoe Centre expect nothing less than fair and honest government. They expect fair and responsible legislation, which is why I must speak out today on the need to repeal the existing job quota law.

The existing legislation is a barrier to fairness and equality. It is a piece of legislation based on myth and

not reality. It is a roadblock on the path to ensure that employers everywhere hire on the basis of merit, a path I think most sensible employers already follow.

The goal of this government is to remove barriers to equality of opportunity. Time and time again we have restated our commitment to encouraging economic prosperity and new opportunities for all Ontarians. I speak in favour of Bill 8 as a proponent of fairness and equality. I stand here as a proponent of the cultural diversity which makes this province great. I stand here as a proponent of government policy which will foster growth and renewed prosperity. I also stand here today as an opponent of unfair competition and redundancy. This existing piece of legislation, this so-called job quota law, is unfair and a true example of redundancy.

A strong Human Rights Code makes the current job quota legislation redundant. Such redundancy is unnecessary and unwarranted. Legislation already exists to ensure affirmative action: the Charter of Rights and Freedoms and the Ontario Human Rights Code, which represent the core values of our society and make it a legal requirement for employers to provide equal treatment without discrimination to all current and prospective employees. It already makes smart business sense for employers to follow the principles of these pieces of legislation.

Let this House create a climate which fosters opportunity. Let this House give a hand up to those in need. Let us encourage Ontarians to exploit their potential and explore opportunities that may at first seem out of reach. But we must not let this House fall victim to redundant legislation and myths of injustice. This House must adopt Bill 8 so that we can remove legislative barriers that require employers to make decisions based on meeting quotas or satisfying a numbers game. Bill 8 will give employers the opportunity to hire on merit-based principles, something all employers should be able to do. Bill 8 will encourage employers to take a proactive approach to ensure fairness and equity.

My grandparents came to this country at the turn of the century. They didn't speak the language. Their accents and customs were a bit different from everybody else's. There were people who thought they didn't fit in, yet they succeeded. They worked hard. There weren't any job quota laws back then, and special-interest groups didn't demand such laws. But my grandparents prospered anyway, and they prospered by working hard and earning the respect of those around them.

I refuse to believe that times have changed so much that we need legislation such as the existing job quota law. People want to know they won the race because they deserved to win. People want genuine respect, and such respect can only come by earning it. Respect can't be fostered by legislating quotas.

There are those who will say I'm not a member of the minority group and therefore may have a different perspective than they do on this issue. But I do speak as a member of the majority of the people of this province. By that I mean I speak as a part of the majority of people in this province who believe success should be achieved based on personal merit. No one wants to win a game that is rigged. I speak as part of the majority of people who don't like feeling they got something at the expense

of someone else who is more deserving. That is an injustice.

I promised the people of Simcoe Centre to govern fairly, with honesty and integrity. I urge this House to restore integrity and fairness to employment practices by supporting the Minister of Citizenship, Culture and Recreation and voting to pass the Job Quotas Repeal Act.

The Deputy Speaker: Questions or comments?

Mr Cordiano: I can't help but think that what we've just heard is anachronistic at best and brings us back to a time—it's really a time warp, living in another era where everything was idealistic and seemed to work in a province that was rather homogenous and did not have the kind of diversity that exists today. I think if the members opposite truly believe that there are very few problems indeed with regard to discrimination in the workplace, then we're in for a very difficult time in the future in this province, because we are very much in favour of employment equity, very much in favour of the principle. To overcome the barriers, the systemic discrimination that exists, you need some motivation on the part of employers. You need to have some direction from government in that regard.

Oh, there are good employers out there. There are people out there who are fairminded and have made enormous progress in terms of employing the wide diversity of people who exist in the province today who make up this great province.

I say to members opposite, if on the other hand you do not believe that there is any requirement for any of those additional measures that the government might take—and we see nothing before the House today; we see nothing that this government has presented in order to move forward, in order to make the kind of progress this government so intended during the election campaign that would replace the legislation that is being replaced today by the repeal of Bill 79—then I say to the government they're living in a dreamland, because this province will not move forward. This province will not be as competitive on the international level as it should be when we have employment in the province of Ontario that reflects the diversity of the population.

That's what this is all about. That's what employment equity is all about, and when you deny that, you deny a forward-looking province, you deny the possibilities that exist for this province in the future.

Mr Marchese: I think it's important to remind the members on the other side, the government members, that in 1974 it was a Conservative government that introduced affirmative action programs. In 1986, Judge Abella wrote 100 recommendations in a report called the Commission of Inquiry on Equality in Employment, and it was the federal Conservative government that introduced employment equity programs. There are Conservatives who did that in 1974, Conservatives who did this in 1986. The Reform Party of today in this House is abolishing all of that. Not only are they abolishing what we've introduced, but all of the affirmative action programs, employment equity action programs introduced by Conservative governments before. They're gone. They're bringing us back prior to 1974. That's what they're doing.

Those studies were an attempt to restore integrity and to restore merit where there was no integrity and where there was no merit. The study by Abella and the programs introduced by two Conservative governments were intended to restore merit. We introduced an employment equity bill which did just that: to bring about fairness in the workplace, to bring about equal opportunity for people who haven't had it for a long time, in spite of those things that other governments have tried to do.

The Human Rights Commission, the Human Rights Code is not sufficient to bring about equality for working people, for those designated groups. The Human Rights Code and Human Rights Commission do not deal with systemic discrimination in the workplace. They know it; we all know it. That's why we introduced Bill 79: to bring about fairness, to bring about equality to people, to 80% of the population that hasn't had it. This bill does not tell the truth. As our leader said, it tells a big lie about what Bill 79 is all about.

1720

Mr Ron Johnson (Brantford): I'm pleased today to stand in support of Bill 8, and I want to congratulate the Honourable Marilyn Mushinski for bringing that piece of legislation forward.

I take offence at the leader of the third party saying that this legislation is based on a lie. If this isn't a quota system that's in place today, what are the numerical goals for? What are the timetables for implementation for? What's the \$50,000 fine for, if these aren't job quotas? They're quotas by any other name.

I want to add that this legislation today is in good keeping with our campaign commitment to eliminate those very job quotas. I listened very carefully to the opposition members and I am astonished in particular with the Liberal members across the floor.

I want to take us back, just for a brief moment, to July 15, 1993, on a debate on Bill 79. The honourable member for Oriole goes on to say in debate: "People find quotas offensive, I find quotas offensive, and that's not what the people want. When you have a quota, what that says is that in order to meet your quota, you will likely hire people who are unqualified."

These are the words of a Liberal member just as recently as 1993, and they sit here today and they support quotas in this House. That is absolutely astonishing to me. The reality is that the people of this province have no idea where the Liberals stand on this issue, I have no idea where the Liberals stand on this issue, and the Liberals don't even know where the Liberals stand on this issue.

Mr Michael A. Brown (Algoma-Manitoulin): I too wish to comment on the speech that was just given. I look at this, and having heard the comments of the member across the floor, it's quite clear that the Liberal Party is in favour of getting rid of the quotas, but it understands that there are barriers out there that need to be addressed.

I just want to tell you that the principle of merit is the all-important principle in hiring, but one does not have to be a rocket scientist; all one has to do is have their eyes

open. To look around Ontario and to believe that right now people with the most merit are being hired, I don't believe that to be true, and I don't believe anybody in this House can believe that to be true. Therefore, we do need legislation that provides for people to be able to be hired on merit. That's what this is about.

No, we don't need quotas. That is a bad and reprehensible approach. But yes, we do need programs that address the barriers that are there. What you're doing is not what the CSR promised. The CSR promised to get rid of quotas. It didn't promise to get rid of all of this legislation.

I'm in favour of getting rid of quotas. Everything the Liberal Party has said is perfectly consistent with that. But I want to tell the members opposite: Your solution is the Human Rights Commission. I've been around this place for about eight years. I get a huge number of complaints from employers about having to go to the Human Rights Commission because some employee has lodged a complaint with the Human Rights Commission. You just wait and see how the employer community is going to react to this bill when they're lined up paying the bills to fight battles at the Human Rights Commission.

The Deputy Speaker: That's all the questions and comments. The Chair recognizes the member for Simcoe Centre.

Mr Tascona: I stand here as a member of the Progressive Conservative Party, not a member of the Reform Party, but I will say this: that Bill 8 reforms the unfairness in the present workplace caused by this piece of legislation that we're repealing.

There is legislation in place to deal with discrimination, and it also provides for affirmative action, and it's been in place for many years. Job quotas, everybody knows, are barriers to equal opportunity in employment.

I would say this: Let us go forward and treat all our citizens equally, based on merit. And I will say this: Bill 8 is not a lie, but it is a lie to say there are no job quotas in the NDP legislation and that quotas are needed in this province.

Mrs Sandra Pupatello (Windsor-Sandwich): I want to begin today with something that someone far cleverer than me said, and that was, "We ought to feed politicians what they really enjoy, and that's some of their own words." I would ask specifically the Conservative members to pay heed.

On this issue of employment equity, I'd like you to know specifically what the now ministers have said in the past regarding employment equity.

In fact, our Minister of Labour, Elizabeth Witmer, has said, "Employers should be required to recruit and train members from the four designated groups." What an interesting thought, given today's actions.

Conservative MPP Charles Harnick, now our Attorney General, said, "I am proud to say that my party supports the idea of employment equity without discrimination." That is Hansard from September 1994, not all that long ago.

Even the leader of his party, now Premier, said that employment equity would need to be reworked—I believe that was "reworked" and not entirely repealed—and called the penalties in the law weak. An interesting position, given what the government is doing this week in terms of employment equity.

There certainly is dissention among even the members of the Tory caucus, and I'd like to suggest comments made by MPP, and now minister, Cam Jackson. He suggested, "Women don't face any problems of access to jobs in Ontario." For the 50-plus per cent of the population of Ontario who are women, I'd like them to pay particular note to that. Any of us who have been in the workforce have seen clearly that there have been barriers. I'm proud to say that women have certainly led the charge in attempting to make change, and there has been change, but obviously there are barriers. I'd like the people of Ontario to note too that this individual is now a minister with this Ontario government, and he feels that women face no barriers to job access in Ontario. We need to have that on record.

Perhaps the most interesting comments of all were from the deputy House leader of the Tory caucus, the member for St Andrew-St Patrick, Isabel Bassett. She wrote a report, and let me quote her for the members, because I know you haven't heard this before and you'd find this particularly interesting:

"Clearly, females will never achieve true equality until they can count on an equal start in life. This means demanding fundamental changes in a system that inhibits women's development."

She goes on further: "It's interesting to note, as Maureen McTeer points out, that not all discriminatory treatment of women comes from men. There are still some 'queen bees' around. They are the women who have been the lone, token woman in an organization for so long that they resent younger, sometimes better-trained women coming along."

Still quoting Isabel Bassett: "This leaves affirmative action as the only viable solution to the problem, and a substantial number of career women agree. When asked on our poll of career women, 'Do you approve or disapprove of affirmative action programs for women, ie, government-enacted legislation requiring that a stipulated proportion of top jobs in government be filled by women?' 67% approved. Women see government controls as a last resort. However, Maureen McTeer makes a valid point that since volunteer measures have not worked, there is a need for something more binding."

I must ask this government, what happened to Isabel Bassett in that cabinet? What happened to Isabel in the caucus? Where was her voice?

1730

I have to suggest that on the discussion of employment equity, particularly the government members in this House, you really needed to go outside your caucus to get a true reflection of what the issue of employment equity is all about. The sheer demographics of your group speak to that. Indeed you are not representative, even as members, of what is out there in the community.

When I read the kinds of comments that have been made by your own members, why were they shut out of the process here? Why were people like Isabel not allowed to say: "Wait. Don't repeal this bill without having something in place"?

In my brief remarks to this today I'd like to speak to the process, the process of repealing a bill in its entirety without offering alternatives.

While you were on the campaign trail you continued to bring forward a six-point plan that deals with employment equity, because when you talked about it, you seemed to have an understanding for how much it was required in the workplace. All I can ask you today is why: Why have you chosen to bring forward the repeal of a bill that needed to be modified but that was good in its content? Why are you bringing this forward without having your six-point plan that you've been trumpeting on the campaign trail but when it comes to action don't have here today?

I'd like the people of Ontario to know that this is more ideologues driving a government agenda. Clearly this repealing of the bill has nothing to do with what really matters to Ontario today: that you have a mandate to balance the budget, that you have a mandate to create jobs.

Let's look at the Toronto Star business section: "Focus on Debt Urged." What does employment equity and ramming this through in such a hasty manner have to do with jobs in Ontario? What does it have to do with balancing the budget? Why have you chosen this kind of priority for government today? Why are you making us stand up and ask, "Why aren't you thinking about all the people in Ontario?" Clearly you're not thinking of the prioritizing that even the people who voted for you expected because you campaigned on it.

It's obvious that this is not about employment equity per se. You've selected to target particular groups in Ontario that simply don't have a voice. They don't have the kind of organized voice that those who put you in your place have, and I'd like to be that voice for them as the other two parties in the House.

It's obvious that the government has no regard for designated groups currently recognized in the employment equity legislation, including women, the disabled, racial minorities and native groups. The government's made it clear, even by the focus of their cuts that have already taken place, that they don't believe barriers exist for those in those designated groups. Let me give you some examples in terms of how you and your cuts are going to inhibit these groups from gaining access to employment.

Through the multicultural areas, access to social assistance, cultural interpreters eliminated, a government saving of \$5.2 million; anti-racism grants; operating grants; project funds; native community branches; community action funds; settlement and integration; access to the professional trade demonstration fund. The list goes on and on.

It's quite difficult for the people of Ontario to get a focus on where your targets were for the cuts. It was like a buckshot approach: They went everywhere. If we could

only put it in order for the people at home so they could understand that they were very cleverly targeted, and targeted so you wouldn't have a voice.

Even the manner of your agenda and how you chose to bring it forward: You knew the whole nation was watching to see what would happen in the referendum vote of October 30, and you chose this week to bring the most significant changes to government in history because you knew the newspapers were going to focus on anything but what was happening in this House. I personally resent that you have this demonic method of targeting when you're doing what. That's exactly what you chose to do, so the people at home are thanking heaven that we still have a country today and don't realize what you're doing with employment equity legislation.

The Ontario Liberal Party does support principles of employment equity and merit. Merit should be the determining factor in driving the workforce. We need to address the inequities that are evident with certain employers and industries and we should be addressing them specifically without imposing quotas on the entire private sector.

A particularly persistent equity problem is lack of access to trades and professions, community-based organizations and employers to improve access for foreign-trained persons to trade professions.

We heard earlier that our Minister of Education and Training spoke. He failed to mention how critical his ministry is to a particular group of individuals who are immigrants to Ontario. In fact they come over, causing a severe brain-drain in the countries they come from, and Ontario is to benefit because they've managed to capture an education elsewhere at no cost to Ontario taxpayers, but when they arrive in Ontario we're not accrediting the kind of education they've had.

I have to urge the Minister of Education to seriously look at this matter. There are people in our midst who are employed not at levels that they could be, simply because of paperwork and administration. When the minister spoke today about the bill, he failed to recognize how pivotal his role could be in helping individuals who are immigrants gain access to better employment, instead of being underemployed, as they are.

I can't understand that a minister with this kind of portfolio wouldn't make that connection between what his job is as it relates to employment equity. He completely missed the boat on this. I'm happy to give him my ideas, for what it's worth, but I've got to tell you, some things aren't about politics. Would you kindly take the ideas that you know are going to work and take all the credit for them in the world? Just do it, because at the end of the day the people have to benefit from the kinds of things your government is bringing forward.

In the end, I've got to ask, why are we repealing this bill today without having any alternatives?

We have to understand that government often has a role to play in trying to create some public opinion where it really matters. I'd like to take you back a couple of decades at least. You may remember when they brought in the seatbelt law. I remember being at home, and

everyone was pretty incensed that the government was going to tell us that we had to wear a seatbelt in the car now. Some people still refuse to do it, but today it's the most normal thing in the world to get in the car and put your seatbelt on. We know it's against the law to drive without them.

I would submit to you that when it comes to issues like employment equity, government has a significant role to play to show some leadership. While we're talking about employment equity today—and for many of you this is clearly a new concept—where we wish we will be in 20 or 30 years is that it will be the same as getting in the car and putting on your seatbelt, that you have things in place that are completely understood and that everyone have equal access to employment.

This government clearly has a role to play in that. You are not taking your responsibility seriously. I submit to you that there's still time. Please, don't just repeal the bill without having alternatives available that we can debate and that go about the right business of letting everyone work in Ontario.

The Deputy Speaker: Are there any questions and comments?

Ms Lankin: I want to congratulate the member for Windsor-Riverside—

Mrs Pupatello: Sandwich.

Ms Lankin: Windsor-Sandwich; sorry. Riverside's beside me, right? I've spent too much time in Windsor in the last five years.

I want to congratulate her for her remarks. I thought she hit a number of issues right on the head.

When she was speaking about the seatbelt law, a number of members opposite said, "What's that got to do with it?" Let me tell you very directly. It has to do with it in this way: You cannot legislate attitudes—we know that—but you can legislate behaviour. And you know what? Attitudes change as behaviour changes.

As I've heard people talk on this and extol the importance of the merit principle—somehow suggesting that the legislation that was in place was moving away from that, but forget that dispute for a moment—I want to tell you that merit hasn't always worked.

I spoke a little bit earlier about becoming one of the first three women correctional officers at the Don Jail. I want to tell you how I got that job: I got it because I was a woman. I survived in that job because I had merit, but merit couldn't get me through the door because of the biases and the systemic discrimination that existed within the correctional services of this province. There had to be a program, there had to be rules in place, there had to be a swift kick in the butt of some of those people to get them to change their behaviour. With time, and with the experience of myself and a number of other women eventually coming to work in what had been a traditional male workplace, attitudes started to change. With forced change in behaviour, attitudes started to change.

That's what the legislation is about. That's why we need an approach to systemic discrimination. The voluntary approach never has worked in this province or in any other jurisdiction, and you're sending us back to that no man's land.

Mr Tim Hudak (Niagara South): It's been several Liberal speakers today, and I still remain confused as to where exactly they stand on the quota issue. I understand the third party's position. I fundamentally disagree with the third party's position, but at least I know where they stand. None the less, throughout the speech given by the member for Windsor-Sandwich, I strove to see where she stood. I couldn't make out where her feet were, where she stood on this issue.

1740

But during the campaign, when she toted her red book, they said, "The Employment Equity Act, which took effect...is widely regarded as adversarial, bureaucratic and expensive to administer." The red book said that the Liberals "believe that the guiding spirit in workplace decisions should be merit, not quotas."

Here we stand on the brink of repealing the quota bill and restoring the merit principle, yet when it takes some backbone to make the change, takes some backbone to restore the merit principle, the Liberal Party hesitates, turns tail and runs.

However, I am pleased to say that even after the Leader of the Opposition hands over her mantle to another leader down the road, the weather-vane that spins in the wind is alive and well in the Liberal Party.

Mr Cordiano: Let me just start off by saying how the comments of my colleague were indeed excellent and made the point very succinctly and her remarks were very eloquent. In fact, she summed it up just perfectly in terms of what the confusion is over there, the real confusion in that back bench. They're so confused they're in a daze. They haven't got a clue as to what's going on around them because they've been blinded completely by that Common Sense Revolution document that I think was beaten over their heads during the election campaign. Every time they threw it out there it hit them in the head as it was going through the air.

Anyway, let me just say that my colleague made the appropriate remarks and in fact tried to get the members opposite to really understand this issue from the principle of the matter, and I think this is where they fail. The point of departure is that they don't even agree with the principle. In fact, they've gone so far back to repudiate all of the progress that has been made, all the way back, as we've said and other speakers have said, from previous Progressive Conservative governments. It's a complete repudiation of any kind of progress.

Perhaps the previous government went too far, and we said that. We didn't support their legislation, because they went too far.

Interjections.

Mr Cordiano: Well, it's very clear that you're not going anywhere. You're not making any progress whatsoever, and you just simply will throw this away, not recognize the fact that there is discrimination in the workplace. You have no intention of helping anyone out there, and you simply will allow people to fend for themselves, because you don't believe—you don't believe at all—in the progress that has been made. You don't believe in any merit whatsoever. In fact, I would argue that you don't believe in the merit principle by virtue of the fact of what you're doing. You didn't bring forward

a plan to make merit a fact of life in hiring, and that's the point that has to be made.

The Deputy Speaker: That's all the questions and—
Mrs Boyd: Rotation.

The Deputy Speaker: The Chair recognizes the member from—York?

Mr Howard Hampton (Rainy River): Rainy River.
The Deputy Speaker: Rainy River. I'm sorry.

Mr Hampton: I want to simply comment briefly upon the principal speaker for the Liberal Party and say to her, you do indeed have difficulty, because the majority of the Liberal members who were here in the last Parliament stood up time and time again and said they were opposed to employment equity. Some said that they were opposed a great deal and some said they were opposed a little. That does create some problems for the Liberal Party and you'll have to sort that out yourself.

I wanted to go on to talk just for a moment about the reality of first nations in the province and to give people some actual historical examples.

I come from a community—
Mr Curling: Point of order.

The Deputy Speaker: Excuse me. Would the member for Rainy River take his seat for a minute. Your point of order.

Mr Curling: I can't remember any time that my party had said we didn't believe in employment equity.

The Deputy Speaker: There is no point of order. Would the member for Rainy River continue, please.

Mr Hampton: People need only look at the record of the votes, okay?

I want to talk just for a moment about the situation that first nations find themselves in, because I come from a community that is a pulp and paper mill town. Most people work in the paper mill; that's the core of the economy. There are no less than six first nations, six Indian reserves that surround that community. Some are two miles away, some are 20 miles away, some are 30 miles away. There are about 800 people who work in the paper mill. Most of the wood comes from adjacent to Indian reserves; a lot of it comes off Indian reserves to go to the mill.

How many native people do you think are employed in that paper mill? When the paper mill is going to hire new people, how many notices do you think go out to Indian reserves telling native people: "We're interested in hiring. Why don't you come in and apply?" How many native people do you think ever hear about that? None. So virtually no people from those Indian reserves are employed in the mill, despite the fact there are 80% and 90% unemployment rates in those communities.

The Deputy Speaker: That's all the questions and comments. The member for Windsor-Sandwich.

Mrs Pupatello: I guess I'd like to leave this topic of discussion today with a couple of thoughts. Firstly, the people who come from Windsor-Sandwich, whether they watch this or not, I hope remember the kind of glib and, if I might say, cavalier attitude that members here in the House are serving with this topic. Eventually, the actions

of this government come back to haunt even the members of this House. Whether it's going to be the daughters of the members who may themselves be barred—perhaps it'll be their son-in-law, who may or may not be a member of a minority group—at some point you will personally experience what the repealing of this legislation will do.

May I submit to you that when that happens you'll know what members of the Liberal Party have known for a long time: that fairness is going to be the key for Ontario. As all of us are facing this strife and trying to cope with what we need economically in Ontario, this kind of legislation doesn't help; it only hurts.

I'd like to mention, too, to the member who said earlier, "Way back in a time when my parents came to this country," may I submit to you that my parents too came to this country, and what my parents and my grandparents will tell me is that today is not the same Canada that it was 30 years ago when they came, that in fact if we follow any financial information and documentation or any of the journals, you will know that today we have seen the last generation that is due to do better than their parents, and that should be a sobering thought.

So Norman Rockwell is no more, my friends. It's time you looked seriously at this.

The Deputy Speaker: Further debate?

Ms Marilyn Churley (Riverdale): I, as perhaps some other members here do, find these kinds of debates distressing at times, because it's late in the day, it's been a long day and people are tired. It's been an interesting and emotional week for many reasons for us here in this House. But I get disturbed because we're talking about people's lives, and I think sometimes in this House, as we debate more the policy around these issues, we tend to forget about the people out there who are affected by the kinds of laws we make and/or the laws we repeal.

Sometimes as members we stand up and we speak more to the constituents who voted for us and tend to perhaps forget about those who need some of the legislation. Perhaps the people who voted for some of us don't necessarily support, maybe don't understand and, in many cases, dislike. But I think all members in this House at all times, and particularly the government, which has the responsibility to govern for all the people, not just the people who elected you to be here and who really believe that what our government did was bring in a quota system—we didn't.

1750

We will continue to argue about that. I think that it's dishonest to tell people that. I don't think it's fair in a major economic downturn, when people are very concerned and afraid about unemployment, for people who are generally well heeled, in good positions in life to go out and tell people who are already very alarmed and worried about their position in this society and the workplace, tell them more or less directly, "You will not get this job because a black person is going to get it instead of you," or, "You won't get the job because this woman is going to get it instead of you." When you go out and tell people that, of course they're going to react.

I too heard at the door in the election campaign fear expressed about this law. I heard it expressed more than

once. People expressed real worries about it—young, white males and mothers of these young men. I don't blame some of those people for their fears and expressing them when they are being told in the press and through some of the members in this House, probably all of you in the campaign, that this was a quota system, that it wasn't merit and if you went into a job application as a white male, even if you were 10 times, 20 times, 100 times better than the black person who was in, that black person was going to get the job anyway. That was not our intent. It wasn't and isn't the law. I don't think there's any point in reiterating this any further because you're quite aware that it works in your favour.

The reality is there are a lot of people out there who were counting on this law to give them a fair chance to get in the door, to show that they too had the abilities. Now, I think everybody, almost everybody in the House has admitted that there is a problem, because if you don't admit that there's a problem, what you're saying is that it's not systemic discrimination, but that white men actually are better than all other groups, including women. Surely nobody in this room—

Interjections.

Ms Churley: I agree. I don't think anybody in this Legislature is saying that. Okay. If you're not saying that, what is the problem? You are admitting that there is a problem out there.

I believe people are, on the whole, nodding to that. Yes, I believe they are nodding that there is a problem. Okay. So what do we do about the problem?

For many, many years there was a voluntary system out there. What study after study after study showed is that it wasn't working. My goodness, would we have taken on such a controversial issue, such a difficult issue if we thought that there wasn't a problem? We went out and talked to people; people came and talked to us. We looked at the studies. We saw that this was a very difficult issue to take on. It's very hard to bring in fair employment equity. We feel that, and we know that we did that.

I am seeing with this government overall—I'm going to try very hard not to be provocative. As a deputy Deputy Speaker, whatever I am, I know what it's like to be in the chair, having somebody jump up on points of order and trying to be neutral and fair, so I won't call people across the floor yahoos or anything like that.

But I will say that I am seeing a form of systemic discrimination going on by this government in its policies overall. If you will look at the cuts that have been made to date, if you combine that with repealing employment equity, which affects women, if you combine that with the kinds of cuts to welfare affecting thousands of women and their kids, if you combine that with the child care program development fund, that affects women and children. Eliminating the programs for male batterers—that really affects women. It goes on and on and on, the effects. This, to me, is a form of systemic discrimination. I don't think that members of the government have really looked at what they've done and what they are doing and the fact that they are hurting women and kids in a disproportionate way. There's all kinds of evidence that shows that, and I'm very worried about it.

I was very worried today when the minister responsible for women's issues did not, I believe for the first time since the beginning of the acknowledging that there are wife batterers out there, get up and make a statement today. Usually, the government takes the lead. Today, not only did she not take the lead; that government refused unanimous consent for any of us to speak on this very, very serious issue.

Coming back to employment equity, which is one of many, many regressive moves by this government to hurt women, to hurt the disabled—because let me say again that in the Common Sense Revolution and throughout the campaign, the Premier and members of the government said time and time again that they would not hurt the disabled, that they would not hurt the vulnerable in our society. They've already done that. They've already cut back incomes for the disabled. They've already affected their transit. Now this employment equity bill further affects the disabled.

They come in here and say, "Oh, yeah, yeah, we think we've got a problem," but, "Don't worry, don't worry; we're going to get rid of this bill and we'll bring in another bill." Where is it? We haven't seen it yet. I'm going to quote somebody here. Believe me, it's not my quote. I'm quoting a well-known Tory who may be on the outs with the Reform Party that we have in here today.

Mr James J. Bradley (St Catharines): Name names.

Ms Churley: I will name him. He said, basically, "Any jackass can kick the barn down, but it takes some good people to build it up." Dalton Camp said that on September 9, 1995. I saw him on TVOntario in a debate with Tom Long, I believe.

His point, of course, is totally relevant to the issue before us today. This government is not even bringing in new legislation. It's coming forward and saying, "We're repealing this," and, like the labour bill, not only repealing our bill, but it's going beyond that. This is doing the same thing. It's not just repealing the legislation that we have or the new legislation that we brought in, but it's going even further, unnecessarily.

This whole thing is unnecessary. If you would look at the bill carefully and talk directly to disabled people, talk directly to people of colour, talk to some women who are stuck in some job ghettos, talk to disabled people, talk to our first nations, I can assure you that if you really did go out and talk to some of those people directly—get their stories. Find out what happened to them. Don't close your minds to this. There is a problem out there.

I regret very much that you're not bringing forward new legislation, but I urge you to look at what's happening and to come forward as soon as possible with legislation so that these people who were counting on being given a fair, equal chance in the workplace will still have some opportunity for that to happen.

Mr Speaker, it being almost 6 of the clock, I believe that I should adjourn the debate now.

The Deputy Speaker: It being 6 o'clock, this House stands adjourned until 10 o'clock tomorrow morning.

The House adjourned at 1800.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Lt Col The Hon / L'hon Henry N.R. Jackman CM, KStJ, BA, LLB, LLD
Speaker / Président: Hon / L'hon Allan K. McLean
Clerk / Greffier: Claude L. DesRosiers
Senior Clerk Assistant and Clerk of Journals / Greffier adjoint principal et Greffier des journaux: Alex D. McFedries
Clerk Assistant and Clerk of Committees / Greffière adjointe et Greffière des comités: Deborah Deller
Sergeant at Arms / Sergent d'armes: Thomas Stelling

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma	Wildman, Bud (ND)	Hastings-Peterborough	Danford, Harry (PC)
Algoma-Manitoulin	Brown, Michael A. (L)	High Park-Swansea	Shea, Derwyn (PC)
Beaches-Woodbine	Lankin, Frances (ND)	Huron	Johns, Helen (PC)
Brampton North / -Nord	Spina, Joseph (PC)	Kenora	Miclash, Frank (L)
Brampton South / -Sud	Clement, Tony (PC)	Kingston and The Islands / Kingston et Les Îles	Gerretsen, John (L)
Brant-Haldimand	Preston, Peter L. (PC)	Kitchener	Wetlaufer, Wayne (PC)
Brantford	Johnson, Ron (PC)	Kitchener-Wilmot	Leadston, Gary L. (PC)
Bruce	Fisher, Barb (PC)	Lake Nipigon / Lac-Nipigon	Pouliot, Gilles (ND)
Burlington South / -Sud	Jackson, Hon / L'hon Cameron (PC) Minister without Portfolio (Workers' Compensation Board) / ministre sans portefeuille, ministre responsable de la Commission des accidents du travail	Lambton	Beaubien, Marcel (PC)
Cambridge	Martiniuk, Gerry (PC)	Lanark-Renfrew	Jordan, Leo (PC)
Carleton	Sterling, Hon / L'hon Norman W. (PC) Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce	Lawrence	Cordiano, Joseph (L)
Carleton East / -Est	Morin, Gilles E. (L)	Leeds-Grenville	Runciman, Hon / L'hon Robert W. (PC) Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels
Chatham-Kent	Carroll, Jack (PC)	Lincoln	Sheehan, Frank (PC)
Cochrane North / -Nord	Wood, Len (ND)	London Centre / -Centre	Boyd, Marion (ND)
Cochrane South / -Sud	Bisson, Gilles (ND)	London North / -Nord	Cunningham, Hon / L'hon Dianne (PC) Minister of Intergovernmental Affairs, minister responsible for women's issues / ministre des Affaires intergouvernementales, ministre déléguée à la Condition féminine
Cornwall	Cleary, John C. (L)	London South / -Sud	Wood, Bob (PC)
Don Mills	Johnson, Hon / L'hon David (PC) Chair of the Management Board of Cabinet / président du Conseil de gestion	Markham	Tsubouchi, Hon / L'hon David H. (PC) Minister of Community and Social Services / ministre des Services sociaux et communautaires
Dovercourt	Silipo, Tony (ND)	Middlesex	Smith, Bruce (PC)
Downsview	Castrilli, Annamarie (L)	Mississauga East / -Est	DeFaria, Carl (PC)
Dufferin-Peel	Tilson, David (PC)	Mississauga North / -Nord	Snobelen, Hon / L'hon John (PC) Minister of Education and Training / ministère de l'Éducation et de la Formation
Durham Centre / -Centre	Flaherty, Jim (PC)	Mississauga South / -Sud	Marland, Margaret (PC)
Durham East / -Est	O'Toole, John R. (PC)	Mississauga West / -Ouest	Sampson, Rob (PC)
Durham West / -Ouest	Ecker, Janet (PC)	Muskoka-Georgian Bay / Muskoka-Baie-Georgienne	Grimmett, Bill (PC)
Durham-York	Munro, Julia (PC)	Nepean	Baird, John R. (PC)
Eglinton	Saunderson, Hon / L'hon William (PC) Minister of Economic Development, Trade and Tourism / ministre du Développement économique, du Commerce et du Tourisme	Niagara Falls	Maves, Bart (PC)
Elgin	North, Peter (Ind)	Niagara South / -Sud	Hudak, Tim (PC)
Essex-Kent	Hoy, Pat (L)	Nickel Belt	Laughren, Floyd (ND)
Essex South / -Sud	Crozier, Bruce (L)	Nipissing	Harris, Hon / L'hon Michael D. (PC) Premier and President of the Executive Council / premier ministre et président du Conseil exécutif
Etobicoke-Humber	Ford, Douglas B. (PC)	Norfolk	Barrett, Toby (PC)
Etobicoke-Lakeshore	Kells, Morley (PC)	Northumberland	Galt, Doug (PC)
Etobicoke-Rexdale	Hastings, John (PC)	Oakville South / -Sud	Carr, Gary (PC)
Etobicoke West / -Ouest	Stockwell, Chris (PC)	Oakwood	Colle, Mike (L)
Fort William	McLeod, Lyn (L) Leader of the Opposition / chef de l'opposition	Oriole	Caplan, Elinor (L)
Fort York	Marchese, Rosario (ND)	Oshawa	Ouellette, Jerry J. (PC)
Frontenac-Addington	Vankoughnet, Bill (PC)	Ottawa Centre / -Centre	Patten, Richard (L)
Grey-Owen Sound	Murdoch, Bill (PC)	Ottawa East / -Est	Grandmaitre, Bernard (L)
Guelph	Elliott, Hon / L'hon Brenda (PC) Minister of Environment and Energy / ministre de l'Environnement et de l'Énergie	Ottawa-Rideau	Guzzo, Garry J. (PC)
Halton Centre / -Centre	Young, Terence H. (PC)	Ottawa South / -Sud	McGuinty, Dalton (L)
Halton North / -Nord	Chudleigh, Ted (PC)	Ottawa West / -Ouest	Chiarelli, Robert (L)
Hamilton Centre / -Centre	Christopherson, David (ND)	Oxford	Hardeman, Ernie (PC)
Hamilton East / -Est	Agostino, Dominic (L)	Parkdale	Ruprecht, Tony (L)
Hamilton Mountain	Pettit, Trevor (PC)		
Hamilton West / -Ouest	Ross, Lillian (PC)		

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Parry Sound	Eves, Hon / L'hon Ernie L. (PC) Deputy Premier, Minister of Finance, government House leader / vice-premier ministre, ministre des Finances, leader parlementaire du gouvernement	Scarborough North / -Nord	Curling, Alvin (L)
Perth	Johnson, Bert (PC)	Scarborough West / -Ouest	Brown, Jim (PC)
Peterborough	Stewart, R. Gary (PC)	Simcoe Centre / -Centre	Tascona, Joseph N. (PC)
Port Arthur	Gravelle, Michael (L)	Simcoe East / -Est	McLean, Hon / L'hon Allan K. (PC) Speaker / Président
Prescott and Russell / Prescott et Russell	Lalonde, Jean-Marc (L)	Simcoe West / -Ouest	Wilson, Hon / L'hon Jim (PC) Minister of Health / ministre de la Santé
Prince Edward-Lennox- South Hastings / Prince Edward-Lennox- Hastings-Sud	Fox, Gary (PC)	Sudbury	Bartolucci, Rick (L)
Quinte	Rollins, E.J. Douglas (PC)	Sudbury East / -Est	Martel, Shelley (ND)
Rainy River	Hampton, Howard (ND)	Timiskaming	Ramsay, David (L)
Renfrew North / -Nord	Conway, Sean G. (L)	Victoria-Haliburton	Hodgson, Hon / L'hon Chris (PC) Minister of Natural Resources, Minister of Northern Development and Mines / ministre des Richesses naturelles, ministre du Développement du Nord et des Mines
Riverdale	Churley, Marilyn (ND)	Waterloo North / -Nord	Witmer, Hon / L'hon Elizabeth (PC) Minister of Labour / ministre du Travail
S-D-G & East Grenville / S-D-G et Grenville-Est	Villeneuve, Hon / L'hon Noble (PC) Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales, ministre délégué aux Affaires francophones	Welland-Thorold	Kormos, Peter (ND)
St Andrew-St Patrick	Bassett, Isabel (PC)	Wellington	Arnott, Ted (PC)
St Catharines	Bradley, James J. (L)	Wentworth East / -Est	Doyle, Ed (PC)
St Catharines-Brock	Froese, Tom (PC)	Wentworth North / -Nord	Skarica, Toni (PC)
St George-St David	Leach, Hon / L'hon Al (PC) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement	Willowdale	Harnick, Hon / L'hon Charles (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Sarnia	Boushy, Dave (PC)	Wilson Heights	Kwinter, Monte (L)
Sault Ste Marie / Sault-Sainte-Marie	Martin, Tony (ND)	Windsor-Riverside	Cooke, David S. (ND)
Scarborough-Agincourt	Phillips, Gerry (L)	Windsor-Sandwich	Pupatello, Sandra (L)
Scarborough Centre / -Centre	Newman, Dan (PC)	Windsor-Walkerville	Duncan, Dwight (L)
Scarborough East / -Est	Gilchrist, Steve (PC)	York Centre / -Centre	Palladini, Hon / L'hon Al (PC) Minister of Transportation / ministre des Transports
Scarborough-Ellesmere	Mushinski, Hon / L'hon Marilyn (PC) Minister of Citizenship, Culture and Recreation / ministre des Affaires civiques, de la Culture et des Loisirs	York East / -Est	Parker, John L. (PC)
		York Mills	Turnbull, David (PC)
		York-Mackenzie	Klees, Frank (PC)
		York South / -Sud	Rae, Bob (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
		Yorkview	Sergio, Mario (L)

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

CONTENTS

Wednesday 1 November 1995

MEMBERS' STATEMENTS

Veterans' highway	
Mr McGuinty	595
National unity	
Mr Kormos	595
Small business	
Mr Newman	595
Government's agenda	
Mrs Pupatello	595
Child care	
Mr Marchese	596
Birthing unit	
Mrs Fisher	596
Magnetic resonance imager	
Mr Bradley	596
Teddy Bear Day Care	
Ms Bartel	597
Wife Assault Prevention Month	
Mrs Munro	597

STATEMENTS BY THE MINISTRY AND RESPONSES

Workers' Compensation Board	
Mr Witmer	597
Mr Duncan	598
Mr Christopherson	599

ORAL QUESTIONS

Tax reduction	
Mrs McLeod	600
Mr Eves	600
Drinking and driving	
Mrs McLeod	601
Mr Harnick	601
National unity	
Mr Rae	602
Mrs Cunningham	602
Minister's comments	
Mr Rae	603
Mrs Cunningham	603
Automobile insurance	
Mr Crozier	604
Mr Eves	604
Services for abused women	
Ms Churley	604
Mrs Cunningham	605, 608
Mr Agostino	607
Closure of Stratford Jail	
Mr Bert Johnson	605
Mr Runciman	605
Municipal government	
Mr Gerretsen	606
Mr Leach	606
Galbraith Bail Residence	
Mrs Boyd	606
Mr Runciman	606
Grade 9 testing	
Mr Sampson	607
Mr Snobelen	607

Municipal finances

Mr Bisson	608
Mr Leach	609

MOTIONS

Private members' public business

Mr Eves	609
Agreed to	609

House sittings

Mr Eves	609
Agreed to	609

PETITIONS

Amalgamation of school boards

Mr Colle	609
----------	-----

Labour legislation

Ms Lankin	610
Mr Christopherson	610, 611
Mr Bisson	612

Karla Homolka

Mr Murdoch	610
Ms Castrilli	611
Mr Carr	611
Mr Arnott	612

Sudbury Action Centre for Youth

Mr Bartolucci	610
---------------	-----

French-language services

Mr Grimmett	610
-------------	-----

Hospital restructuring

Mr Kwinter	610
------------	-----

Occupational health and safety

Mr Len Wood	610
-------------	-----

St Stephen's Secondary School

Mr O'Toole	611
------------	-----

Social assistance

Mr Gravelle	611
-------------	-----

Community-based justice options

Mr Curling	611
------------	-----

Gasoline prices

Mr Michael Brown	612
------------------	-----

Highway safety

Mr Miclash	612
------------	-----

Zoning bylaw

Mr Grimmett	612
-------------	-----

FIRST READINGS

Workers' Compensation and

Occupational Health and Safety Amendment Act, 1995, Bill 15,	
<i>Mrs Witmer</i>	
Agreed to	612

Canadian Life Line Limited Act, 1995, Bill Pr39, Mr Kwinter

Agreed to	612
-----------	-----

Public Transportation and Highway Improvement Amendment Act, 1995, Bill 16,

Mr Gravelle

SECOND READINGS

Job Quotas Repeal Act, 1995, Bill 8,

<i>Ms Mushinski</i>	
Mrs Boyd	613, 616, 618
Mr Gerretsen	615
Mr Hastings	615, 621
Mr Marchese	616, 618,
Mr Curling	616, 618
Mr Snobelen	616, 618
Ms Castrilli	617, 622
Ms Lankin	620, 630
Mr Cordiano	621, 626
Mr Rae	622
Mr Bisson	624
Mr Maves	625
Mr Kormos	625
Mr Tascona	626, 628
Mr Ron Johnson	627
Mr Michael Brown	627
Mrs Pupatello	628, 631
Mr Hudak	631
Mr Hampton	631
Ms Churley	631
Debate adjourned	632

OTHER BUSINESS

Decorum in chamber

The Speaker	597
-------------	-----

Visitors

The Speaker	597, 600
Mr Turnbull	609

Notice of dissatisfaction

Ms Churley	605
Mr Bisson	609

TABLE DES MATIÈRES

Mercredi 1 novembre 1995

PREMIÈRE LECTURE

Loi de 1995 modifiant la Loi sur les accidents du travail et la Loi sur la santé et la sécurité au travail, projet de loi 15,

<i>M^{me} Witmer</i>	
Adoptée	612

Loi de 1995 modifiant la Loi sur l'aménagement des voies publiques et des transports en commun, projet de loi 16,

<i>M. Gravelle</i>	
Adoptée	612

DEUXIÈME LECTURE

Loi de 1995 abrogeant le contingentement en matière d'emploi, projet de loi 8,

<i>M^{me} Mushinski</i>	
Débat ajourné	632

CAZON
X1
-D23

Government
Publications



No. 21

N° 21

ISSN 1180-2987

Legislative Assembly of Ontario

First Session, 36th Parliament

Assemblée législative de l'Ontario

Première session, 36^e législature

Official Report of Debates (Hansard)

Journal des débats (Hansard)

Thursday 2 November 1995

Jeudi 2 novembre 1995



Speaker
Honourable Allan K. McLean

Président
L'honorable Allan K. McLean

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

Hansard on your computer

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. For a brochure describing the service, call 416-325-3942.

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-7411.

Subscriptions

Subscription information may be obtained from: Sessional Subscription Service, Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur votre ordinateur

Le Journal des débats et d'autres documents de l'Assemblée législative pourront paraître sur l'écran de votre ordinateur personnel en quelques heures seulement après la séance. Pour obtenir une brochure décrivant le service, téléphoner au 416-325-3942.

Renseignements sur l'Index

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-7411.

Abonnements

Pour les abonnements, veuillez prendre contact avec le Service d'abonnement parlementaire, Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311 ou, sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 2 November 1995

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 2 novembre 1995

The House met at 1003.

Prayers.

PRIVATE MEMBERS' PUBLIC BUSINESS SPENDING REDUCTIONS

Mr Christopherson moved private member's notice of motion number 3:

Whereas it is important for the provincial government to work in partnership with communities across Ontario to provide the infrastructure and economic opportunities necessary for job creation, and

Whereas the previous New Democratic government invested in the economic future of Hamilton by committing \$5 million for the creation of a cultural industry strategy, and a further \$5 million for the revitalization of Barton Street; both of which would have created jobs and supported the expansion of Hamilton's important culture and arts industry, and

Whereas the saving and rehabilitation of the 71-year-old landmark "Lister Block" building would have saved an important part of Hamilton's heritage, created jobs and injected much needed economic stimulation into our downtown core, and

Whereas Hamilton's McMaster University would have become the home to North America's first United Nations University for the Environment, with a \$5-million provincial investment matched by federal funds, and

Whereas Hamilton was scheduled to receive more than 1,000 units of non-profit housing, which would have created jobs and provided affordable housing for Hamilton's most vulnerable citizens, and

Whereas these economic initiatives were identified as priorities by local government and the community itself,

Therefore be it resolved that the Progressive Conservative government admit the serious damage it has caused to Hamilton's economic future by cancelling these critical economic initiatives and that full funding be restored immediately.

The Deputy Speaker (Mr Bert Johnson): Mr Christopherson has moved ballot item number 3. The member for Hamilton Centre has 10 minutes.

Mr David Christopherson (Hamilton Centre): I am pleased today to be able to place some of Hamilton's most important economic issues at centre stage here in this Ontario Legislature.

Our government had worked very hard and in close partnership with local government and the community to ensure that throughout the recession and indeed into the future our local economy remained strong and viable and that we would be able to provide the kinds of jobs and economic growth that Hamilton needs if we're to remain the kind of community we've been for oh so very long.

One of the first projects this government cancelled was the Barton Street revitalization project, as well as the cultural industry strategy, which would have had the effect of putting \$5 million into an important part of our community on Barton Street which had fallen on difficult times throughout the recession. We took our lead from the local government's plans for revitalizing the local economy—Vision 2020, the Renaissance project—and we worked with the local community to identify how we could bring back the pride that the people in the Barton Street area had for that important part of our downtown, as well as investing in one of the growing areas in our local economy, and that is the cultural and arts community.

Hamilton has a very distinctive cultural and arts community, separate and apart from anything happening here in Toronto or in fact anywhere else in the country. That was identified by local leaders, and we responded to that particular initiative by working with the local community to invest in the community.

This was not giveaway money, these were not make-work projects; this was a serious investment in the future of our local economy and ensuring that Hamilton survived in the future. That was a major project for which the community was pleased to receive support from this government, because it can't do it alone. Local governments can't do it alone. Senior levels of government have an obligation to work in partnership, to assist local communities and local government in making sure that local economies survive.

That's been killed. They killed that. Not only did they kill that future project, but they reached inside and took out \$1.1 million that was already in the bank. They took that out and said, "You can't have any of that, none of it." Now the people on Barton Street and those important citizens in our cultural and arts community are left out in the cold. This government has not responded to their needs or to their situation at all, and I see no indication that it's about to reach out.

The Lister Block, another major part of the heritage of our downtown core: Mayor Bob Morrow, along with Alderman Bill McCulloch, the dean of Hamilton city council, worked tirelessly with then Housing Minister Richard Allen to find a way to save that building, to preserve our heritage, but also to provide jobs and provide an opportunity for people to move into the downtown core, which has been identified as an important part of the revival of our downtown core. It is in serious trouble, much like many of the older communities across this province.

That was a project that would have created jobs, would have provided economic stimulation in our downtown and, again, would have saved an important part of our

cultural heritage in Hamilton. We're very proud, as Hamiltonians, of our history. This vital project was put on the chopping block and killed. Before this Legislature even sat, the government announced and pronounced from on high that this project was gone, and it looks like we're going to lose it.

1010

The United Nations University for the Environment: Here was a unique opportunity, not just for Hamiltonians but all Ontarians, because it would have been the very first United Nations university on the study of the environment in all of North America. Again, we worked with the community, we worked with the university, we provided \$5 million and the federal government agreed to put \$5 million in, to allow that United Nations university to come to this country, to come to this province and to come to my home town of Hamilton—and they killed it.

They killed it. They said, "That's not important; the bottom line is the only thing that matters." They didn't care about the fact that the environment and dealing with the environment is one of the critical growth areas for jobs and economic stimulation.

That's the rub. All of these initiatives create jobs and they create economic stimulation. This government has replaced it with nothing—nothing. They've just killed them and said: "They're not important enough to fund. Hamilton, you're cut adrift. You're out there on your own."

I know that the president of the university, the soon-to-be-installed president, Peter George, expressed his disappointment. People are scrambling now trying to save it, but without the provincial government being there, the federal \$5 million is not going to be there, and it's very much in doubt whether or not we will have that United Nations university.

Non-profit housing: Something this government dislikes, disapproves of, bordering on hate with a passion, because it goes against their hard-line ideology of how the world ought to work. The reality is that the non-profit housing that was built in Hamilton during the recession gave hundreds, if not thousands, of construction workers jobs during the darkest days of the recession that they otherwise would not have had. It also ensured that the most vulnerable in our community had hope, had a home, had a future. We're talking about families and we're talking about children.

The investment in non-profit housing in my community of Hamilton and across Ontario has been a benefit to the people of Ontario. This government has killed all of them, all those projects.

The francophone community had worked so hard for years, volunteering their efforts to make sure they could provide the kind of housing that community needed. Harmony Non-profit Homes was affected, Brothers of the Good Shepherd, Spallacci Construction, and the list goes on and on. Paula Randazzo has worked so hard in our community to make sure that there were linkages between labour, workers who needed jobs, construction activity that was needed in our community, and the provision of non-profit housing. All of that is gone.

I note that the government now takes great pride in participating in the infrastructure announcements. I see the copies of the news releases come out with the quotes from the Tory MPPs about how proud they are to be here and participate in a partnership and provide jobs and economic stimulation. If they had been the government during the times of the negotiation with the federal government on infrastructure projects, none of that would have happened. None of that would have happened, yet they proudly go out there and cut the ribbons and take the credit for the benefit this investment provided in our community.

They would have said no to the waterfront project, a \$10-million project that enhanced the quality of life of Hamiltonians. It's a wonderful feeling to go down there on a summer day and see the families and the children and the seniors and people enjoying our waterfront.

Interjections.

Mr Rob Sampson (Mississauga West): Oh, come on, David. I was part of that. It did happen. Not true—shame.

Mr Christopherson: You would not have funded that. You would have said you couldn't find the money. We did because it's important that communities be preserved and that we invest in the people of Ontario.

Mr Sampson: Oh, give your head a shake.

Mr Christopherson: The backbenchers of the government can howl and yap away, but the fact of the matter is that that's an important project, as is the GO station investment, \$16 million; \$64 million for the courthouse project.

This is community, and you seem to have failed to understand that, that Ontario is about communities. It's about people. It's about jobs. It's about hope. You think it's all a balance sheet. You want to make sure you can give your wealthy friends a nice tax break so you can get re-elected, and you've turned your back on communities. You've turned your back on communities and that's the wrong kind of approach. There's no vision to that.

Hamilton needs the cooperation and support and partnership of senior levels of government. We did our best to make sure those partnerships were there to provide jobs and economic stimulation, and this government has cut all those initiatives and hurt that community. Ask regional chairman Terry Cooke how much those projects have hurt. He's a Tory and he'll tell you that this is not the way to build a community for the future.

I call on the government to admit the serious damage it is doing and restore that funding immediately and give my community of Hamilton hope for the future.

Mrs Lillian Ross (Hamilton West): I'm pleased to speak to this resolution today. I have to tell you that when I first read the resolution I was quite surprised. To let the members of this House understand my feelings on this, I'd like to take them back in history just a little bit, if you'll bear with me.

Let's go back to 1990. There was a provincial election and all six Hamilton-Wentworth members were elected from the NDP. All six members became part of that government, and in fact four of them became cabinet ministers. The very first thing they did for the region of

Hamilton-Wentworth, without consultation, with no discussions, indeed not even a whisper to the community: They cancelled the funding to the major economic project in the Hamilton-Wentworth region, the project called the Red Hill Creek Expressway. They claimed it was because of environmental reasons. They claimed it would destroy the valley.

The community was stunned, the community was in disbelief, and today they still have not recovered from that decision. Some \$25 million had already been spent on that project, an interchange had begun, property was purchased, development was on the horizon, but everything stopped. Nothing happened in Hamilton-Wentworth. Too bad that in 1990 the member didn't believe in the concept of partnership and consultation. It's too bad he didn't believe in sitting down with local politicians and the community to talk about that project.

But let's move forward, let's go to 1994. There's another election on the horizon. The project indeed had not died, as they wished it had. In fact, it was alive and well. So what did they decide to do? An election was on the horizon and they knew they had to do something in Hamilton-Wentworth—they needed the votes—so they came up with this grandiose scheme, to buy acceptance, of a new, NDP-tailored roadway. It didn't satisfy the needs of the community, but it just might provide them with enough votes for re-election.

The roadway, instead of a six-lane, became a four-lane. It had stoplights all the way along; it was no longer an expressway. It was a road similar to Bay Street or Yonge Street in Toronto. You might be able to associate that a little better than Fennell or Mohawk in Hamilton. It destroyed a residential neighbourhood. It cost far more money than the original concept cost, but they took that money from our road and they divvied it up into all these other projects: the Barton Street revitalization, \$5 million; the community and cultural centre, another \$5 million; the Lister Block; the UN university, for which they never really promised the money but promised the concept of the university.

I find paragraph 6 of this resolution particularly offensive, where he says, "These economic initiatives were identified as priorities by local government and the community itself." The reality is that the Red Hill Creek Expressway has been identified for over 30 years as the most significant, important economic project in Hamilton-Wentworth, and it still is to this day.

I would love to spend \$5 million on Barton Street. I'd love to spend \$5 million on the arts and cultural community. I'd love to save the Lister Block and I'd love to have the United Nations university at McMaster. But the reality is that we don't have the money, and we didn't have the money then.

The previous government did not care about deficit financing and debt. They didn't care about not having the money, because guess what? They could just borrow it. Well, we do care. We care about growth and opportunity. We have the responsibility to act responsibly, we believe in partnership with communities across Ontario and we will work with the community in Hamilton-Wentworth to ensure that we sit down and talk with them about their

priorities and we get the economic situation in Hamilton-Wentworth turned around with the private sector, the community and the government.

1020

Mr Dominic Agostino (Hamilton East): I rise in support of the resolution by my colleague the member for Hamilton Centre. I think when you look at the amount of damage that has been done to the region, I guess it all started probably on June 8. For the first time since 1970, Hamilton-Wentworth has not had a cabinet minister in the government of the day. When it was a Conservative government under Bill Davis, there was cabinet representation; when it was a Liberal government under David Peterson, there was cabinet representation; and when it was an NDP government under Bob Rae, there was cabinet representation.

We were neglected right from day one. The reality is that the decisions are made at the cabinet table. The reality is that there is no voice for Hamilton-Wentworth at the cabinet table. The closest we have is a junior minister from Burlington who has often shown his disdain for Hamilton-Wentworth. That is the best we can do.

I've always believed that the role of local members, yes, it's to represent their party, yes, it's to work on behalf of their party, but most of all it is to work on behalf of the community they represent. The responsibility of local members is to fight and fight and fight against any cuts, any changes that are going to hurt their local community.

I find it ironic—and my response is not an attack on my friends from the Hamilton-Wentworth area, because on a personal level I think they're very nice, very kind individuals, and I consider them all friends. It is a question of philosophical direction. It is a question of direction, that I differ from where they're coming from as to where the region should be going. I find it ironic that my good friend the member for Hamilton West talks about the expressway with such self-righteousness. Yes, the NDP scrapped that project, yes, they devastated the region, and they paid the political price for that on June 8.

But this government, what did it do? This government decided that it wasn't going to scrap it, it was just going to delay it; \$13.5 million cut out of the Red Hill Creek Expressway. The first decision they made as a government was to cut \$13.5 million out of the expressway in 1995. To me, Mike Harris looks like Bob Rae in a blue suit. They cut it; you guys just delayed it. What does that say about economic development? What does that say about cutting \$13.5 million out of a project that you had committed to?

Mike Harris went on and on during the campaign about how important this project was to Hamilton-Wentworth, how they were committed to it; committed until the point that you became the government of the day, and then the first thing you did was cut \$13.5 million out of this year's funding for the project. Where is that commitment? Was that just pre-election rhetoric? Was that just what you wanted people to hear?

The reality is you have not delivered. You have failed miserably in delivering on the expressway. The people of

Hamilton-Wentworth will be looking to see if Mr Palladini will keep his word, if the minister will reinstate the 1995 funding in 1996, as he said he would, or are we going to simply just delay the project further and further and further along?

The infrastructure programs that have been talked about, the airport link, the Highway 6 extension: another casualty of Hamilton-Wentworth, another casualty of this government; a project that had been approved, a project that would have been vital to the airport in Hamilton-Wentworth, a project that would have provided that transportation link that is needed to ensure that the Hamilton airport grows and flourishes and becomes the hub that we want it to be because it's going to create thousands of jobs.

What this government doesn't understand is that every time you cut out of a project, every time you cut out of infrastructure, you're cutting jobs—exactly what you ran on. You committed yourself to creating jobs. This is a government that was going to create 725,000 jobs over the next four years of the life of this government.

In your first five months you have cut thousands and thousands of jobs out of projects in Hamilton-Wentworth. You don't realize that when you cut the Red Hill Creek Expressway funding, you're cutting jobs. You don't realize that when you cut the Highway 403 link, you're cutting jobs. You don't realize that when you're cutting social service agencies, you are cutting jobs.

There's a correlation there. The money doesn't just get sucked up somewhere. It goes into jobs, it goes to people's homes and mortgages, it goes to buying houses and fridges, things that you want people to do in this province.

I don't understand how a government that has four members out of six—we have four members on the government side of the House from Hamilton-Wentworth. I challenge my friends when they get their turn to speak: What positive beneficial decisions has this government made in its first five months to benefit Hamilton-Wentworth? I'd like to see one positive decision.

Interjections.

Mr Agostino: Yes, my friends keep talking about a tax cut. The Tory backbenchers keep screaming about how there's a 30% tax cut and they keep talking about borrowed money. What you fail to understand, or you know but you don't want the people of Ontario to know, is that there's only one way you're going to finance your tax cut, and that's going to be to borrow the money. It's unheard of. You are going to borrow the money in this province to finance the 30% tax cut to benefit your rich friends, and that comes at the expense of projects like the Red Hill Creek Expressway, the 403 link, the UN university in Hamilton-Wentworth.

Where is the rationale in that? Why would you cut those kinds of projects that create jobs and then go out and borrow the money to give your rich friends who make \$90,000, \$100,000 or \$200,000 this 30% tax cut that you promised, which we now hear may be delayed or deferred?

Agencies in Hamilton-Wentworth, social service agencies, which most of the members across the floor

chuckle at, 159 cuts were made to 130 agencies in Hamilton-Wentworth last July, centres such as Good Shepherd, Martha House, Big Sister Youth Services, Chedoke, Wayside House of Hamilton, Little Red Apple Pre-School, the Women's Centre of Hamilton-Wentworth.

The Common Sense Revolution—and I read the material well and I read the literature that my friends on the Tory side of the House had put out during the election—didn't say anything about cutting women's shelters in Hamilton-Wentworth. It didn't talk about cutting services for abused children in Hamilton-Wentworth, unless it was hidden somewhere and I missed it. It didn't talk about cutting services to children's aid societies in Hamilton-Wentworth. Yet this government, in July, cut \$6.75 million from these vital community services in Hamilton-Wentworth.

The across-the-board cuts, the blind slashing that occurred, the fact that this government did not think it was important enough to do a program-by-program assessment to determine which programs were still necessary, which programs could be cut, which programs could be reduced—they felt that they were all the same across the board, they felt that every single program deserved that 5% hit.

The commonsense—and you like that word—the commonsense thing would have been to take a look at the program, look at what was in place and say, "Okay, which programs can we do better, which programs can we get rid of and which do we need?" rather than just cut across the board without knowing and realizing the impact. People in my region are paying the price every single day as a result of that.

There are more funding cuts to come, we're sure. We know that there are going to be more to come in the economic statement that the minister is going to present in November. We know Hamilton-Wentworth's going to get whacked again and we know that the direct attack on the people of Hamilton-Wentworth is going to continue.

I just do not understand why our local members are not standing up and speaking out and fighting against these cuts. I understand that there's party discipline, I understand that you have to tow the line and I understand that the whip will get all excited if you dare, but I believe that we first have to represent the people who elected us, that we have to ensure that the people who elected us, that the views of the region are heard.

Yes, the opposition can do that to some extent, but we don't have access to the cabinet table, we don't have access to the government side of the House. I very much believe that the local members must put partisan politics aside when it comes to local issues and fight hard and be out there speaking out. Yes, it's risky. Yes, there's a risk in that, because by doing that you may never end up in cabinet, by doing that you may get the parliamentary assistant position taken away from you, you may get the perks taken away from you, because that is not part of what your party whip would like you to do.

But ultimately we have to remember that we don't get elected here, we don't get elected in this room, we don't get elected in this city. We get elected in our riding by

the constituents we have been there to fight for, and fight on their behalf continuously.

The neglect that has occurred in this region just cannot go on and on and on. You have campaigned on job creation.

1030

Mr John Hastings (Etobicoke-Rexdale): Private sector jobs.

Mr Agostino: What program, what announcement can my friends across the floor tell me about, when they have their turn in a few minutes, that has created jobs in Hamilton-Wentworth? Funding the Red Hill expressway is not public jobs, it is private sector jobs, it is construction industry. The construction industry in Hamilton-Wentworth has over a 50% unemployment rate.

Do you not feel that money is well spent? Do you not feel that \$13.5 million for projects in the biggest sector, in the construction industry—most of that money goes to wages, it goes to paying people who are working there—good-paying, solid jobs in the region. Does the government not understand that? Does the government not understand that every time you invest a dollar in a community, the return is threefold and fourfold?

Does the government believe very much in this trickle-down, Ronald Reagan type of governing that you're talking about, this wonderful tax cut that you're going to give and then think that people are going to sit there and spend it and so on, and all those kinds of wonderful things that were supposed to happen in the United States that never happened, do you really believe that?

Do you really believe that all of these cuts that you're making to Hamilton-Wentworth, and the average middle-class income earner may benefit by \$500 or \$600 a year, do you believe the price to pay is worth it? Do you believe that the price to pay for the \$500 tax cut that you're going to give is worth the cut that you've done to the Red Hill expressway and to the 403 and to the UN and to Barton Street and to all of the agencies and children's aid societies and services that provide help for people who need it? Do you really believe that \$400 is going to be worth it?

Do you believe that the people of Hamilton-Wentworth are going to be fooled when their taxes go up next year or their services are cut? Do you believe that the people of Hamilton-Wentworth are going to buy your tax cut when they may have to pay for garbage pickup, which they now don't pay for, or their water and sewer rates may have to go up, or their recreation centre and swimming pool and skating rink fees go up to offset the oncoming cut that you're doing, to offset the downloading that you're doing?

Where is this tax cut? Do you think you're fooling people? Do you think the people who have children who go to McMaster University in Hamilton next year and their tuition fees go up don't understand it is a result of your government's actions? Do you not understand that if they pay \$400 or \$500 more a year to send someone to university, send a student to university, it offsets your \$400 or \$500 cut? Do you think you can fool people to believe that this cut is going to benefit them?

Yes, it will benefit your rich friends across the floor who make \$100,000 or \$150,000. They're going to love you. They're going to think this is great. What about the average steelworker, the average factory worker in Hamilton, who's going to see a very small return on one end, if you ever come through with your cut, but on the other hand is going to pay in municipal taxes, is going to pay in tuition fees, is going to pay in other services that they're now not paying for?

The downloading of services, the downloading of programs—there's only one taxpayer, and ultimately at the municipal level those are the people, that is the level of government that is going to be forced to either dramatically cut service or dramatically increase taxes in order to make up for your perceived tax cut.

Again, your tax cut that is going to somehow benefit only the rich, your tax cut that is going to be borrowed—and I keep forgetting that, and maybe one of the members across the floor can explain to me where the benefits of that are going to be as well, when they get up to speak, how you can justify borrowing to provide this tax cut. You're going to borrow the money at a tremendous rate, after the deficit, after the debt, in order to finance a tax cut for the very wealthy in Ontario.

There's nothing wrong with deficit reduction. There's nothing wrong with balancing the books. Fundamentally, the biggest difference between what you are trying to do and we would have done in government is that we would not try to do both at the same time. It is fiscally impossible.

There hasn't been one government in the history of this country or any jurisdiction in North America that has been able to deliver what you are talking about. Not even the Republicans, your friends in the United States—Newt, Jesse and the rest of the boys—not even your friends in the United States have been able to deliver what you are talking about, not even by the gutting of the services, not even by the experiments they've tried in Michigan and Louisiana and Tennessee and those other wonderful progressive states that have the best social policy in the world. Not even in those states have they been able to do what you're talking about: deliver this massive tax cut and balance the budget at the same time.

The price to pay is too high. The price to pay for what you are trying to do is too high. It is too high across this province, it is too high across Hamilton-Wentworth, and we have paid the price already. In five months, this government has inflicted more damage in Hamilton-Wentworth than five years of NDP government. You've done that in five months.

Let me tell you, there was one difference, and I haven't seen it yet: There were members of the NDP government side of the House, and at times in the last session I didn't agree often with my colleagues on the NDP side of the House—I didn't agree often with my friend the member for Hamilton Centre—but, man, there were times when they had the guts to speak out, and speak out on behalf of the community they represented. That's what local representation is all about.

I urge my friends from Hamilton-Wentworth: Lose the chains. Untie yourselves from the party discipline and the

whips that tell you that you must go along and agree with every single decision that is made, regardless of how damaging it is to your region. Speak out on behalf of the people you represent.

Ask your constituents in Hamilton-Wentworth if they want this \$13.5-million cut to the Red Hill expressway. Ask your constituents in Hamilton-Wentworth if they believe that the 403 extension should not go ahead. Ask your constituents in Hamilton-Wentworth if you should cut the children's aid society and the shelters and the second-stage emergency housing. Ask those questions, then stand up, come into the House and speak out on behalf of the people you represent.

Mr Len Wood (Cochrane North): I am pleased to stand here today and support the resolution brought forth by my colleague the member for Hamilton Centre. It's a very good resolution and it's a good opportunity for everybody in this House to stand up and be counted and say that we are unhappy with the amount of jobs that are being lost due to cutbacks.

When I look at the resolution, they're talking about 1,000 units of non-profit housing being cancelled. Imagine the amount of construction workers that could be there working instead of collecting unemployment insurance and taking the jobs that the people on welfare would eventually get.

It's unreal to think that the Conservative government in Ontario would go ahead and make the cutbacks that it's doing to Hamilton when the local community and the local government are saying that these are the projects they need to create economic growth in the area and to help out the vulnerable people who need apartments, need places to put a roof over their heads, that it would use this method of cutting back, and all for the simple reason of wanting to give a tax break. They want to give back \$5 billion to their special-interest groups out there that are already wealthy. They want to be able to give it back to them at the expense of every community.

In Cochrane North we have three non-profit housing projects that were cancelled. The need was there. The local communities decided that they had to do something for the people who needed affordable, decent housing. They had a project in Cochrane, they had a project in Hearst, they had a project in Moosonee. You're talking about 150 families that needed affordable, decent housing. The Conservative government cancelled these projects.

There are other ways of balancing budgets and raising revenue without taking the whole impact on to the poor people. My phone is ringing off the hook and saying, "How much longer are you people going to just stand there and watch the Conservatives hurt the most vulnerable people, attack them on a regular basis?"

We see the labour legislation that they brought in. Bill 7 is a job killer. It's going to kill thousands of jobs in this province because employers are not going to come and invest in this province if they're going to be encouraged by the Conservative government to bring in strikebreakers and scabs. Employers don't want that; they were happy with the legislation that the NDP government had brought in, which was creating jobs. Billions of

dollars were invested in the province of Ontario. There was no reason to bring in their legislation that is legalizing scabs on the job. This is an example.

If you read the resolution, I'm sure if everybody reads the resolution, they're going to be able to support this resolution that was brought in by the member for Hamilton Centre. It says "that the Progressive Conservative government" should "admit the serious damage it has caused to Hamilton's economic future by cancelling these critical economic initiatives and that full funding be restored immediately."

Why would a government want to come in, get elected five months ago, and do so much damage that it's done in the last four or five months? It's unreal. The people of northern Ontario just can't understand why they would not want to plow the roads any more or put sanding trucks out there.

Why would they want to close nursing homes? They promised they weren't going to hurt health care, yet they're taking millions of dollars out of northern Ontario at the expense of the sick and disabled.

I could go on and on and on, but I know the member for Hamilton Centre wants more time to get his remarks on the record, looking for the support of all the people in this House on this resolution.

1040

Mr Trevor Pettit (Hamilton Mountain): I'd like to take this opportunity to thank the honourable member for Hamilton Centre for bringing this resolution forward and giving the members of Hamilton-Wentworth region an opportunity to speak to it.

Right off the top, I'd like to address myself to the member for Hamilton East. I take exception to his self-righteous criticism of my colleague from Hamilton West. This comes from a member who himself neglected to mention how he ran municipally less than a year ago, and then some four or five months later quit to run for provincial politics and cost the city some \$50,000 to \$60,000. Self-righteousness.

As for the member for Hamilton Centre, I can understand the member's political motivations and the grandstanding behind them, but I still cannot find myself supporting this resolution before us today. It's pure Hollywood, and talk is very cheap when you're in opposition.

First of all, does the member not realize the financial crisis of this province, the financial crisis his government has created in the past five years? Or does he even care? Did somebody forget to tell the member for Hamilton Centre of the disastrous and looming provincial debt, and the deficits that will be a noose around the necks of Ontarians if somebody does not have the courage and foresight to bring provincial spending under control?

Deficits have increased dramatically in the 1990s: \$10.6 billion in 1995. That's \$10.6 billion. Ontario's indebtedness has spiralled upward. It is currently around \$97.4 billion, almost a \$100-billion debt.

But what is even scarier is the money we are spending to finance the interest on this public debt. Public debt interest for 1995-96, as of July, was \$8.8 billion. What does that mean? Well, let's put it in perspective. Public

debt interest for 1995-96 is nearly 20% of the revenues of this province.

The interest we are paying is having very negative impacts on the province. Public debt interest is crowding out funding for programs and services, programs and services that we as Ontarians and Hamiltonians want and need. Out of every dollar spent on programs and services, we are paying nearly 16 cents of this to public debt interest. Ten years ago, we were only paying less than four cents.

I'm telling you, this upward trend is a recipe for disaster, yet the member for Hamilton Centre would have us keep spending more and more and more. They are spenders by nature, spending money we do not have. Make no mistake, that is exactly what he is suggesting. This doesn't make any sense to me. Has the member not even seen these numbers? Can he not comprehend the impact on the province, given these numbers? I'm not that old, but I remember a time when both Liberals and socialists would be generous with their own money, not the public's.

Let me make myself clear: I am not, nor is this government, against the principles of the projects in question, but the reality is, we don't have the money for all these projects. We don't have the money that the former NDP government has promised. We cannot continue to borrow and spend. All communities—I repeat, all communities—are having to deal with some cuts. We've had to make very tough decisions in order to begin the process of improving the government's fiscal situation. However, we as Hamiltonians must do our part for the betterment of the province.

Let me make something else clear: This is not about which politician at Queen's Park can get the most for his local supporters. What is at stake is much greater. This is about fiscal responsibility and dealing with the real macroeconomic issues that, if left unattended, will bring us to a state where there will be no social and infrastructure programs.

This is about fiscal responsibility so that we can protect core services such as health care, education and police services well into the future.

This is about fiscal responsibility so that we can foster an environment that will create jobs and stimulate economic growth that will ultimately help Hamilton's and Hamilton Mountain's economic future.

This is about fiscal responsibility so that there will be a bright and prosperous future for us and our children in Hamilton.

This is not about spend, spend, spend, spend some more, even if we do not have the money. That road will bring this province to its knees. This is about fiscal responsibility. The province requires it, the people of Ontario require it, the people of Hamilton Mountain require it, and the rest of the people of Hamilton require it.

To conclude, I end with a quote, borrowing from Eldridge Cleaver, an American author and political activist: "You're either part of the solution or part of the problem." I would ask the member for Hamilton Centre

to help us in our attempt, not hinder us, in bringing this province's spending crisis under control so that we can get on with the business of creating long-term employment and stability for the people of Hamilton Mountain and all Hamiltonians.

Mr Ed Doyle (Wentworth East): I am the representative of Wentworth East, which is one of the Hamilton-area ridings. Mine is a community that elected me as part of the Mike Harris team, a team with a mandate to change the way of the past 10 years of NDP and Liberal governments. A major part of this change includes the elimination of job-killing legislation and getting our fiscal house in order.

For the past 10 years, the people and businesses of this province have been frustrated with governments constantly meddling in their affairs. We have had over 10 years of increased taxes, 10 years of increased paperwork, 10 years of increased spending, 10 years of increased regulation, 10 years of increased intervention. With all these increases, one would have thought that perhaps unemployment would have decreased, but it didn't. It increased as well.

What's been the result of all these policies? It's been a deficit of \$10.6 billion, unemployment over 9%, and one of the most uncompetitive and overtaxed jurisdictions in all of North America. This is not Alabama; it's Ontario. There is no way we should be in that situation.

I will tell all members that we cannot support this resolution, because we have other priorities rather than commitments to projects that do nothing to create long-term jobs in Hamilton-Wentworth. We need long-term jobs there and throughout the province.

If our government does not get its fiscal house in order, if we do not reduce taxes and we do not ease the regulatory burden on business, especially small and medium-size business, then that puts social and infrastructure programs entirely in jeopardy, completely in jeopardy.

It is also a question of learning to spend in a smarter fashion. With what money is available, we must re-evaluate our spending priorities.

One such priority is our government's commitment to build the Red Hill Creek Expressway. Despite what the member across the way said, there has been no cut in funding. There has been a deferral. There were deferrals in cuts right across the province of Ontario—deferral. The money will be there. This highway has been seen for over 30 years as an integral component of opening up our region for business. This transportation corridor will not only serve residents of our community, but will also be a very attractive and integral component of the Hamilton-Wentworth business climate.

We've been honest with the people of this province. We have said, and we have been shown, that re-evaluating priorities and making changes isn't easy. We knew this before we began, and we face it every day. It isn't easy. However, altering the status quo is what we were elected to do.

The people of this great province have asked us—well, they haven't asked us; they've demanded from us—that

we stop ignoring this problem. For too long that was the government prescription: Keep the problem going.

Let's look closely at some of the supposed job creation strategies of the previous government. First of all, there were handouts. Then there were handouts. Then there were handouts. It was like Old MacDonald's farm: a handout here, a handout there, here a handout, there a handout, everywhere a handout. That's what it was. It was stated that handouts to different groups of every kind would support the expansion of employment in Ontario. Frankly, if such programs cannot be supported by the citizens of the community, as an example, I do not believe it is the responsibility of government to pay for every ticket to ensure a full house yet be the only spectator at the event.

1050

Economic revitalization does not occur by taxing more, spending more and reducing disposable income. We are trying, for the first time in 10 years, to create jobs by letting the average worker keep their own money and spend it themselves. Don't give it to the government: "Here, government, take our money. You spend our money. We do a lousy job of it." It's governments that do a lousy job of spending money.

The pet projects of days past are over. They're over. Today the question we must ask should be, do the people of Ontario want their taxes to go up by X amount of dollars in order to pay for these projects? The answer clearly is no. The message was clear this past election when the people of this province gave our government the mandate to control spending, reduce our deficit and create long-term private sector jobs.

Mr Christopherson: I would like to first of all thank my colleague from Cochrane North for his comments and his support and understanding for the importance of these projects to my home town.

I also want to thank my colleague from Hamilton East for his support. One thing the honourable member for Hamilton East and I agree on is the fact that the tradition in Hamilton after an election is over that aldermen, councillors, MPPs and MPs work together for our community is one we want to carry on and one that has benefited Hamilton. Quite frankly, given our proximity to Toronto and the broader Metro area, if we didn't have that kind of cooperation and work between the elected representatives at all levels and from all parties, Hamilton would never be heard. I support that tradition that he enunciated and I urge our new colleagues in the Tory caucus to follow that example.

I want to say to the government opposite that it's too bad we didn't have an opportunity to have this kind of debate around your anti-worker Bill 7, because what happens is that the people of Ontario, through the coverage on TV of these proceedings, get an opportunity to hear different visions of Ontario and to understand competing ideas. As angry as I get and as frustrated as I get, I respect the fact that there are different points of view and different ideas and different visions. What I find unacceptable and absolutely disgusting is when a government shuts down that democratic process and does

not allow the different ideas to be enunciated and share those ideas and let the people judge for themselves.

I want to say that the vision the government puts forward is not new. We've seen this before. R.B. Bennett was a Prime Minister, a Tory Prime Minister, during the Depression. Read your history, folks. His theme throughout that Depression was that balancing the budget was the most important thing—not that it was important, on which we all agree, but that it was the most important thing. And as workers were put out of work, they went into work camps as children literally starved, as workers rode the rails trying to find work—

Interjections.

Mr Christopherson: Well, listen to the Tory back benches moan and groan and laugh and do what they will. They have no comprehension of what happens to working people during a depression and during a recession and, quite frankly, they don't seem to care what happens.

R.B. Bennett rode through the Depression and said, "We can't afford to help those unemployed workers because we have to continue to balance the budget." What is his reputation in history? How is he viewed in history, in the historical context? Ultimately, the people of Canada did elect a government that said there needs to be an investment in people, in communities, and they started to recognize that if Canada were to survive, there had to be cooperation and partnership. Yes, that meant spending some money, but it put people back to work: people who pay taxes, people who could provide for their families and people who could invest themselves in a community, rather than being cut loose.

Mitch Hepburn was another example, that great Liberal Premier who attacked the labour movement and said that unions will not come into Ontario because they're some kind of evil force. Mitch Hepburn left a legacy that most people do not accept as one we want to see again, yet here's this government in the midst of the recession—granted, we're starting to come out of it, but there are still unacceptable levels of people who are unemployed.

They talk about the debt and deficit. It's fascinating to listen to them talk about the fact that you can't invest in communities because there is a deficit and we have to borrow money to maintain the deficit, but it's okay to borrow \$4 billion or \$5 billion to pay for your tax cut. There's not enough money to invest in Barton Street in my community; there's not enough money to bring the United Nations university to Hamilton; there's not enough money to save Lister Block; there's not enough money to provide non-profit housing and jobs. But, oh yes, there is enough money to pay for their tax cut.

That doesn't make any sense. If there truly is a deficit and debt crisis—and I would maintain we have a problem, not a crisis. There's a difference. We know that the Minister of Education likes to create false crisis—he said as much—and that, I would suggest to you, is the game plan to cover everything this government is doing.

If indeed it is as you say—I maintain it's not—then why in heaven's name would you take that money and put it back out to your wealthy friends rather than taking

that money and putting it against the debt and deficit to bring it down? Then, when we can all afford it, provide a tax cut for everybody, a fair tax cut that will benefit everybody equally, not the one you're going to give where the very wealthy will do the best and workers, as always when Tories change tax laws, will get the least. That, I would suggest with respect, is common sense.

What we're hearing over here is blind ideology, following their Common Sense Revolution book just like Mao asked everybody to following his little red book. That's what's driving this, not the interests of the people of Ontario.

Interjections.

Mr Christopherson: Listen to the cackles from the Tory back benches. But let's remember that it was Mulroney's Tories who brought in the GST. It was Mulroney's Tories who brought in the free trade agreement, which decimated the industrial sector in Ontario and particularly hurt my community of Hamilton-Wentworth. They're the ones who followed the high interest rate policy that economists acknowledge drove us into recession faster and deeper than necessary. And all in the name of fiscal responsibility, as if Tories are the only ones in the world who can understand economics, and the poor working grunts of the world ought to just accept the fact that, "Oh, the great Tory leaders will show us how to do this." That's been rejected in the past and it will be rejected in the future.

Interjections.

Mr Christopherson: It's amazing how upset they get when you touch a nerve.

I also want to talk about the Red Hill Creek Expressway. Let's talk about the Red Hill Creek Expressway. First of all, the reality—not the myth, the reality—is that there were no jobs lost, that there was no drop in the investment in our community, because there was an agreement to switch from the north-south, because it was in dispute, and do the east-west portion first. We got the same number of jobs and the same amount of dollars invested while that project was under way and while the north-south was in dispute. The Tories never talk about that, but that is the truth and that's the reality. Check with the regional government if you want to see the statistics, because they're there. No jobs were lost because of that.

1100

Now let's talk about the difference of opinion on the Red Hill Creek Expressway. We said that the six-lane expressway that destroys the environment in the Red Hill Valley was not necessary in terms of the demographic shift of what had happened, in reality, in our community versus what was planned and projected 30 years ago.

There was a study done, an independent study, that said a four-lane roadway would be sufficient to meet the needs of our business and citizens for 30 years. That plan would have saved the environment. It would have enhanced the environment.

We took the \$70 million that we saved and we invested that back into the very projects that I was speaking of earlier. So we would have had the transportation

network, we'd have saved the environment and we'd have invested in key components of our economic future.

This government ran on a simplistic platform and said, "We're just going to stuff down that old plan, because it sounds good and we can sell it," and all the other investments in Hamilton will be gone.

Interjections.

The Deputy Speaker: Order.

Mr Christopherson: That's all right, Mr Speaker. It's the backbenchers; one expects this from them. But as the member for Hamilton East said, if we had a cabinet minister, maybe we'd have somebody who could speak out for Hamilton, because these backbenchers don't seem to be doing it.

In the last couple of minutes that I have left, I want to talk about whom this government ought to be talking to in terms of these projects, because this is not just a resolution from me or just a resolution to be supported by the Liberal member for Hamilton East. This is a resolution that speaks to the future of my community, and I happen to think that's important. Whether the backbenchers of the Tory party think so or not, I do. I think it matters that Hamilton has a future.

Talk to Renee Johnston or Patty Beckett, who worked on the cultural and arts industry strategy. Talk to them, people who don't have elected office but who have a care and a compassion and a love for Hamilton that says they want to see it survive. They worked in concert with the local government to make sure that this project was brought to fruition.

Speak to Jude Johnson, who's a well-known, respected artist, a singer with a great reputation, who has put her reputation on the line to support this project. She's volunteered her time and her talent to make sure that this happened, and you killed it.

Talk to Stella Woock, Stella Woock who represents the community association in the Barton Street area. The community has come together in that area. The police have worked with them. There's community policing in there. We're very proud of our police service in Hamilton. That was a part of the partnership, and they killed that. Talk to Stella about how much the Barton Street project matters to the citizens in that area; not to your wealthy friends or the people you plan to sell off portions of this government to. Talk to the people, the real people and the real leaders.

Talk to Diane Dent of LACAC and find out the real importance of why Lister Block matters in our community, why that's an investment, not just, as one member said, a handout. "We've had to make tough decisions." No, you've made mean decisions. There's an ability to deal with the debt and deficit in a far more gradual way if you cared enough to look at that, and if you weren't trying to pay for your tax cut to your pals.

Go talk to Roger Paquette and all the people in cooperative housing, literally hundreds of community people. They're the ones who make up the community of Hamilton and Hamilton-Wentworth. They're the ones who led the charge on these initiatives and they're the ones whose hearts are broken that this government has decided to cut Hamilton adrift.

I urge members to support this resolution. Support my home town of Hamilton.

The Deputy Speaker: That completes debate on ballot item number 3.

PROPERTY RIGHTS STATUTE LAW
AMENDMENT ACT, 1995

LOI DE 1995 MODIFIANT DES LOIS
EN CE QUI CONCERNE
LES DROITS DE PROPRIÉTÉ

Mr Barrett moved second reading of the following bill:

Bill 11, An Act to amend the Expropriations Act and the Human Rights Code with respect to property rights /
Projet de loi 11, Loi modifiant la Loi sur l'expropriation et le Code des droits de la personne relativement aux droits de propriété.

The Deputy Speaker (Mr Bert Johnson): Do you have some comments?

Mr Toby Barrett (Norfolk): The purpose of this bill is to restore property rights in Ontario. I've introduced a private member's bill titled the Property Rights Statute Law Amendment Act, 1995, to protect our right to the peaceful enjoyment of our private property and strengthen compensation rights in the event our property is expropriated. The bill amends the Expropriations Act and the Human Rights Code to enhance the protection Ontario law gives to private property rights. The provisions added to the code are based on the Charter of Human Rights and Freedoms, Quebec.

Property rights are part of our heritage. People came to Canada and to our ridings seeking the right to own and use property, something that they often did not have the opportunity to do in their home countries. Private ownership of property and the development of that property has been a key incentive for our economic growth and prosperity.

In my riding, and across Ontario, different levels of government have found it necessary in the public interest to build railways, widen streets, establish dump sites, run hydro tower corridors and protect environmentally sensitive lands from development. Governments in Ontario have neglected to provide property owners with a fair hearing to justify infringing on their inherent right to enjoy property or with appropriate compensation for their losses.

You cannot remove the value of someone's property and at the same time offer no just compensation for their loss.

There is a strong historical tradition in the western world for protecting property rights. Property rights go back to the year 1215, the Magna Carta, the foundation of our common law in Ontario and in Canada. The recognition of property rights in the Magna Carta is very straightforward, and I quote, in part:

"No constable or other royal official shall take corn or other moveable goods from any man without immediate payment, unless the seller voluntarily offers postponement of this."

In 1689, these rights were affirmed again in the British Bill of Rights. In 1948, Canada signed the UN Universal Declaration of Human Rights, which affirms that no one

be arbitrarily deprived of property. In 1960, the Canadian Bill of Rights also affirmed the right to the enjoyment of property.

But in 1982, the Canadian Bill of Rights was overridden by the Charter of Rights and Freedoms. The charter provides the right to life, liberty and security of the person but omits any mention of property rights. Can this be defended in a free and democratic society?

Rural Ontario, and my riding of Norfolk, contains undeveloped land that can be an issue for environmentalists who wish to freeze the use of property for reasons of conservation. Conservation is a worthy cause, but at what cost? Land owners receive no compensation and hence often get their back up over such initiatives.

Property rights are also important in urban Ontario, where, for example, provincially sanctioned basement apartments may infringe on the rights of adjacent property owners.

There are macro and micro planning considerations that influence legislation pertaining to property rights. Macro issues include the province's planning statements or guidelines or its own plan creation through, for example, the Parkway Belt Planning and Development Act, the Niagara Escarpment Planning and Development Act, the Ontario Planning and Development Act and the Environmental Assessment Act. Micro considerations include local subdivision, site and development plans made to rationalize municipal services such as water and sewer under a provincially directed official plan.

Concern has been raised that private property rights infringed upon indirectly with official plan designations, zoning bylaws and provincial policy statements may deprive a property owner of an economically viable use of the property without any fair compensation.

There's broad consensus that property rights must be protected. Former Prime Minister Trudeau also believed, when he proposed charter entrenchment in 1981 to protect the right of the enjoyment of property, that we must respect and protect individual rights and freedoms. I would like to see us extend this belief to recognize that government should respect and protect private property rights of hardworking Ontarians.

1110

We know that this bid for entrenchment failed, partly because of the opposition of the federal NDP. However, I would say to members of the NDP in the House that although your party has continued to pose obstacles to legislation protecting property rights, I wish to remind you that on October 15, 1991, Premier Rae had this to offer in the Legislature: "...but of course the protection of people's civil liberties, the respect for people's rights of ownership are a very important part of the Canadian tradition."

I have had a number of people ask me, "Don't we have property rights now?" The answer is a very simple no. Although we are not prohibited from buying, selling and possessing private property in Canada, we have no written protection against that right being infringed upon at some point. This causes a problem in rendering judicial decisions. Courts cannot strike down legislation that

infringes on property rights as invalid because there is no statutory protection for this right in our laws.

Further, the Planning Act does not set out a process for a fair hearing to resolve any alleged infringement of property rights. Property owners must live with the uncertainty that a further means of confiscating their property indirectly through zoning changes will be done without any fair compensation being required or provided.

The Ontario Human Rights Code is Ontario's highest law. It is appropriate to begin here and protect property rights with the other civil rights that are also protected in this jurisdiction. All other laws in the province are measured against the Ontario Human Rights Code. This code protects all Ontarians from discrimination. It serves to protect those who are vulnerable in our society. We ensure by this protection that they do not have to fight legal battles that they cannot afford. Why then should we not protect those vulnerable to having their property taken, directly or indirectly, who may also not be able to fight legal battles in court?

The Ontario Human Rights Code has served to challenge all legislation, not hinder it, to ensure that it is faithful to democratic freedoms that have built our province and our country. We must extend this fundamental reality to protect property rights so that we can justify, not deny, the legislative process in Ontario.

In reference to protecting property rights for all, the Canadian Real Estate Association says such a law would protect, and I quote, "not just those with the capacity to challenge offending deprivations in the courts." Property rights protection is aimed at all Ontarians.

The Expropriations Act has no teeth and must be amended. It does provide property owners with the right, once they receive notice of intention to expropriate, to request a hearing. This hearing process is flawed, however. It is neither a judicial nor quasi-judicial process, and the decision rendered from the hearing cannot be appealed. It does not permit cases of indirect expropriation, where the extent of use and enjoyment of property has been reduced or eliminated with indirect action, to be challenged. The hearing can only determine if the expropriation is fair, sound and reasonably necessary in the achievement of the objectives of the expropriating authority, but not to review the merits of the project.

The limits of protection under the Expropriations Act become clear when one considers that expropriation hearings are carried out only at the request of the owner of land intended for expropriation. No mechanism exists within the process for hearings from adjacent land owners who may be affected by the neighbouring expropriation.

It should nowhere be part of a government's mandate to arbitrarily expropriate property without justification and fair compensation.

The Ontario Urban Development Institute has stated, and I quote again, "a freeze of the development rights amounts to no more than expropriation without any form of compensation for the affected land owners."

Again I quote: "Canadian courts have long recognized that land use regulation is not an expropriation, primarily because zoning bylaws or other planning instruments do

not generally involve a taking or transfer of the full use, title or benefit of property. Therefore, if a land owner's ability to use or develop his or her property is constrained by a properly enacted zoning bylaw, the land owner is not entitled to compensation, even if the zoning bylaw results in a diminution of property value."

Ontario is virtually alone among western jurisdictions in our failure to protect property. Protection exists in the human rights codes of the Yukon, Alberta and Quebec, the United States in the Fifth Amendment, and other jurisdictions include Germany, Italy, Finland and even Sweden.

I mentioned the Canadian Real Estate Association's support. Support comes from the Ontario Real Estate Board, Ontario Urban Development Institute, Canadian Bar Association, Ontario Taxpayers Federation and OPERA, the Ontario Property and Environmental Rights Alliance.

I ask all members to support this bill. Let's send a clear message to present and future property owners of Ontario that their interests and investments are respected and protected.

Mr David Ramsay (Timiskaming): It's a pleasure to rise in my place this morning to address this bill. I would like to say to the newly elected member I congratulate him for coming forward with a private member's bill. I don't know if the people out there realize, but of course we all are very anxious, as members of the Legislature, to bring forward bills of interest and resolutions of interest to our constituents and to us personally, and the member is to be congratulated, as a newly elected member, to be that quick off the mark, because it was his turn very quickly to bring in a bill.

However, what is good about this time period is that it gives every one of us an opportunity in this House to debate a private member's resolution or bill, and that is not a right or privilege given to many legislators in the Commonwealth today. So we have a great opportunity here and I know most members take advantage of that, that on Thursday mornings two bills or resolutions have the opportunity not only to be presented and debated but also to be voted on.

It's in these Thursday morning debates that we truly come together and become legislators. I don't think in much of our job we actually are legislators. We're sort of like mini-ombudsman people solving problems for our constituents, which is noble work, but this is an opportunity we have to bring forward, as we see fit, legislation or amendments to existing legislation, and I welcome this opportunity to address this bill this morning.

This type of amendment to the Expropriations Act and the Human Rights Code has been around for many, many years. I can understand people having a sense of the collective needs of society from time to time maybe coming to the excess that maybe the property owner is losing his or her rights in society. But I think we have to be mindful of the very tenuous balance we have in society between private property rights and the collective rights of society.

I have a farm. I live on a farm and started to homestead that farm and develop it into a commercial operation 24 years ago. I understand being on the land and working on the land and so have a very strong sense of my property and being on that land and what it represents to me. Until I got this job, my land represented my income. It represented my vocation. So I have a very strong sense of self related to the land that I live on and work on as a farmer.

But I also understand that I'm just merely a tenant on that property also, that I am entrusted with the stewardship of that land, as any property owner is, whether you live in a Mississauga suburb or downtown Toronto or in rural Ontario, and as stewards of the land we must take care of it. We must obey the laws of the land that mandate us to take care of our property, because we are only temporary stewards of that land. We move on and other generations come before us. So we have to always be careful about those collective responsibilities that society has to the stewardship of land.

From time to time governments will bring in very proactive types of legislation that will either forbid us to do things on our own property or promote us to be doing things on our property.

One of those ideas I can think of that I was partly responsible for when I was Minister of Agriculture in 1989 and 1990 was the Ontario land stewardship program, where we knew that Ontario farmers at that time could do a better job of stewardship on their land, and instead of using the stick we decided to use the carrot and we offered an incentive program to seed down farm land that wasn't as productive into green crops in order to stop soil erosion, to set aside areas of our land near waterways and ditches and sloughs on our land so that we wouldn't get erosion there and protect our waterways.

1120

Sometimes it is necessary, as we as a society learn more and more about the proper stewardship of our land, to even mandate programs such as that. I know when I first went to my farm in 1972, in Timiskaming, where I still live today, one of the first things I did was to get into the cattle business. I felt I was so blessed because my house fronts on a river and the back fields front also on a creek. I thought it was really great that I didn't have to supply some sort of pumping system in order to water my animals that were in pasture.

So I let them go down to the river bank and muddy that up, and it being the case, the clay soils that we have in the Timiskaming clay belt really did get mucked up and the rivers, the Wabi Creek, the Blanche River and the Wright Creek, are really heavily polluted. In those days farmers allowed their cattle just to go down because, "It's my property and that water is there and why not let the cattle go down."

We understand now that's not what we should be doing. We should not be treating our land that way. In fact, there certainly should be laws against that. So, even though it's my property and you would think, "Well, it's my right to be able to water my cattle any way I would see fit on my land," it really isn't. It really shouldn't be, for a farmer, the right for instance to spread manure on

frozen soil during the spring or winter and you might get a rainstorm and basically that manure washes away into the waterways, eventually leading into our watershed and into our rivers.

So there always has to be a balance between property rights and the collective rights of society and what's good for the environment. As I said, a lot of it isn't the way we'd manage our land done out of malice, but sometimes just out of ignorance, because we're always learning. There was an example that I just gave where I learned how to start to be a better steward of my land, and we all can be doing that. Whether we compost in our suburban lots in the GTA or wherever we live, taking care of our land is a good thing.

I know the member talks about the Expropriations Act, and I do agree with him that obviously proper compensation must be given by the state when the state decides that it is in the common interest to expropriate. Many times—and it is unfortunate when these conflicts come between property owners and the state—these conflicts do arise that either a new highway needs to be put through or maybe there's a sewage plant, or some sort of public capital enterprise needs to be established in order to better the community in which we live. When that happens it's important that for sure the state, after proving its case, give due and proper compensation to the property owner. I certainly agree with the member presenting this bill here today that's very, very important that this happens.

I would just say to the member that I understand the frustration that property owners have when they run into these situations. Whether it's hydro line rights of way, other types of easement for water lines, pipelines, there are many cases where, for the common good, it is necessary for our property to be intruded upon. I know that sometimes it's very difficult to fight that, to mount a campaign to try to stop that or to ameliorate some of the potential harm that could happen when that sort of action is contemplated. I know it's difficult and I know that when I'm in a particular situation I don't want that to happen.

I will give the member a very interesting case that's currently before Ontario, and that is the desire of Metropolitan Toronto to bring its waste to an abandoned iron ore open-pit mine in an unorganized township just south of Kirkland Lake. The people there are very, very upset about this action. As property owners they're very concerned that having this absolute mega-dump by their properties is going to be lowering their property values, and I heard somebody say something about a referendum. That's exactly what I've been asking for, that the people in that area should have a referendum and should have a say.

It would be very important for that to happen—

Mr John Hastings (Etobicoke-Rexdale): They had a referendum.

Mr Ramsay: The member says, "They had a referendum," and that's true. In 1991 the people had a referendum whether they wanted to proceed with an environmental assessment, but at that time the mayor had said that if they did proceed with environmental assessment,

the people, once they have all the facts, can then go back to a referendum and have a final say whether they want the project or not.

When it comes to that sort of concern about property rights and people's right to live in a type of neighbourhood that had the land use basically established, if not through zoning bylaws and official plans, which this particular area would not have because it's an unorganized township, but have land use established through tradition, through culture, through the way the land has been settled in that area, it's very important that people have the right to have a say when land use is going to be changed in a radical way. That's why we have zoning and that's why we have official plans in our organized townships: in a sense, to protect people. On my farm, if somebody next door wanted to go ahead and had complete freedom to bring in some factory or some other operation that would disrupt my way of life and what I'm doing on my land, that would be wrong.

There never should be absolute property rights given to property owners, as much as we would feel by instinct that, "Gee, I should be able to do as much as I can on my own property." That should never happen and so we try, through our legislation and through the laws that we pass here, to find that balance, to find a balance between what's there for the common good while at the same time trying to do our very, very best to protect the rights of the individual property owner.

I would say to the member that I applaud you for bringing this forward. It's something that really should always be debated, because we always should be testing our legislation, because from time to time we have gone over too far to collective rights and ignored individual rights and I think we need to bring that back into balance. But I would say in this case, when it comes to individual property rights, I think the balance we have today is not bad and I would say, let's keep it the way it is.

Mrs Marion Boyd (London Centre): I'm very pleased also to be able to participate in this debate and would congratulate the member on his ability to bring forward a bill so quickly. I understand how very hotly debated this issue of property rights has been over a long period of time, so it's good for this Legislature to have an opportunity to discuss the merits of the suggestions that the member is making and to talk about some of the concerns.

I'm pleased that the member for Timiskaming was able to talk in so clear a way about the responsibility that we have to temper the individual freedoms and rights of people with the common good, because it is extremely important for us to keep in mind, as the member suggested, that we are the stewards of the land for only the time being and that we know very well that because we have the advantage of looking back over a long history of the world, our vision of property now may be different in the future, certainly was different in the past, and that the view of property by different cultures and different civilizations has been different.

We have a very good example of that, where the first nations of this country have a very different concept of property than we do. Their concept of property is that

property is held in trust by the community to future generations, that no individual owns property and that the responsibility of the community is to protect and preserve that property for the generations that are to come. So it's an issue that is fraught with a lot of different visions.

I would suggest to the member that in many ways, the suggestions that he's making about changes particularly I think to the Human Rights Code are a bit redundant, and I know he's had this suggestion before. He points out that Quebec, in its Charter of Human Rights and Freedoms, has sections which are similar to the sections he is suggesting for the Ontario Human Rights Code, but the member does not take into account that civil justice in Quebec is very different from the civil justice system here in Ontario.

In Quebec's civil justice system, based on the Napoleonic Code, there are no precedents. It is not based in common law. The Ontario common-law tradition and system recognizes as a principle the right to own property and many, many, many precedents line up behind that principle.

In fact, probably one of the clearest and most succinct statements is a Supreme Court of Canada hearing in *Harrison v Carswell*, which indicated very clearly—it's relied on very strongly by lawyers in arguing about property issues:

"Anglo-Canadian jurisprudence has traditionally recognized, as a fundamental freedom, the right of the individual to the enjoyment of property and the right not to be deprived thereof, of any interest therein, save by due process of law."

No Ontario or federal act explicitly sets out the right of one's property, although that was certainly argued very thoroughly at the time that the Constitution was repatriated in 1982. Certainly section 26 leaves the door open, and from time to time various parties—and one certainly hears from the Reform Party that this resolution echoes the need to include that in the Charter of Rights and Freedoms.

1130

I would suggest to the member that given that we rely very heavily on a precedential system of law and that this precedent has clearly been set, it's unnecessary for us to enshrine property, because the disputes over property reside in the civil courts and that right has already been guaranteed by decisions of the Supreme Court, whose precedents obviously now are the ones we rely on on interpretation of rights. The member should also remember that Canada has signed the United Nations Universal Declaration of Human Rights and that article 17 of that declaration protects property ownership from arbitrary deprivation.

The key here, as I think the member has clearly shown in the suggestions that he's bringing forward in terms of an inquiry, in terms of judicial review, in terms of full and fair hearings, is this issue of due process. I understand quite clearly that the member is concerned that due process is not strongly enough in favour of the person who may be deprived of the use and the enjoyment of their property.

I think that is something we should all be concerned about from day to day because we all, I think, in this House would uniformly agree that arbitrary deprivation of property is something that none of us could condone, that the arbitrariness of that is a fundamental issue in a democracy where we believe in the rule of law. So unless there is due process and unless that due process ensures that the deprivation of property is not arbitrary, I think the member would not find any disagreement in this House that we can't allow that.

I suppose the disagreement comes in the interpretation of what is arbitrary, and I think what the member is trying to do is to say, particularly with respect to the Expropriations Act, that it is arbitrary, that in fact there is not an opportunity under that act for an individual to challenge the right of the state to take over property.

I would suggest to the member that may be a valid concern. Certainly it is one that does get expressed from time to time and certainly it is the cause of great grief. I mean, we have only to look at the very large fight that took place between the residents of Pickering and the federal government over a proposed airport, a very good example, a very lengthy example of people fighting the right of government to take on property, losing that fight, then of course finding that property not used as an airport and then finding all sorts of suggestions coming forward for them to take back that property. I think those examples raise in our minds the same concern that the member has raised.

I would say to the member that it would be very interesting to see if he could get his Minister of Justice to bring forward some changes to the Expropriations Act. I think the member who, with all his party, understands the mantra of cost and that we must save costs no matter whom we hurt as a result will recognize that the sections he has put in under the Expropriations Act are extremely expensive.

The issue of having an inquiry, having a full hearing for each issue, having the possibility of judicial review of each of these expropriation issues—it will be very interesting to hear whether the government of the day takes seriously enough the issues that the member has raised and understands those as a priority to take on that kind of cost and that kind of burden to the courts.

I would say to the member it is an enormous cost to the individual as well as to the government, and I would suggest to you that your government, like every other government, has made a determination that it is not necessarily in the best public interest that there not be a process whereby, if it is judged by the government of the day to be in the public interest, the process is streamlined, if you like.

I suggest to the member he might want to make representations to his caucus and to his cabinet and see what the response is in terms of the cost of what he is proposing and in terms of the clumsiness and the length of time it takes when governments often need to work rather quickly in the best public interest.

Having said all that, one of the real issues, and one of the issues that arose during the constitutional talks around property, is that the member is referring to property as

real, tangible property—a piece of land, a house—property in that sense, and certainly he's right. That's the tradition in our society.

In fact, it was well expressed in the House of Lords in 1765—again a passage that's often referred to when we talk about this—where the statement was made, "The great end, for which men entered into society, was to preserve their property." That certainly is very much a part of British-North American tradition, and the member is quite right about that, that the preservation of property, real, tangible property, is very much in our history.

But I would suggest, and I know it's hard for a government that tends to get stuck in the past, we've moved a little way from 1765 in our definition of "property," and our laws in Ontario take into account that property is much, much more than a piece of tangible property or a home. We've worked over many years, under many governments, to redefine "property" to include all assets, and in fact that's a very important aspect of many of the things that the members opposite are supporting with respect to some of the changes in our social systems.

Property now is expanded to mean assets that are not tangible in the sense of being a piece of property. I'll give you the example where in family law the courts have found that the asset of a professional degree or the asset of the goodwill of a business is part of the assets of a family partnership when the division of property comes up.

I would suggest to the member that it's extremely important for us to know that we have moved farther along the spectrum in terms of understanding that for many people they will not necessarily have the asset of a tangible piece of property, but there will be other assets they may have that are interpreted, and have been interpreted over many years by the court, to be assets.

I would suggest to the member that giving inviolable rights to property would certainly mean great difficulty for a government that wanted to look at assets such as service contracts or benefits or licences or any of the other assets that people may have when you are determining the worth of someone.

I know that in the human rights part of this you're clearly talking about people's homes and people's properties, but the problem is that when we make definitions we very often narrow the meaning of a word or a piece of legislation in a way that we would not very often do. I think it is very important for us to keep that in mind.

The last thing I would say is that I'm very interested in the changes to the Human Rights Code in sections 9.2 and 9.3. Section 9.2 in this bill reads simply, "A person's home is inviolable," and section 9.3, "No one may enter on another person's property or take anything from it without the person's express or implied consent."

That has grave implications for our criminal law. Unlike the section before, where the member has excepted to the extent provided by law, he does not make that exception in these two sections. I can assure the member that he would not find his own administration or any other government willing to make a blunt statement like that, given the need that our policing forces often have to intervene for the safety of others, as is the question in

domestic assault, or to intervene in terms of the carrying on of criminal activities from a piece of private property.
1140

It is extremely important for us all to recognize that if there were to be any enshrinement of private property in the Human Rights Code, both of these sections would as well have to include to the extent provided by law, particularly in a country where the criminal law is made by the federal government and it is the duty and obligation of the provincial government to enforce it.

If we were to put this blunt statement into our Human Rights Code, it would make it impossible for the Solicitor General and the Attorney General of the province to ensure that their obligation to enforce and prosecute criminal law in this province could happen.

I would suggest to the member that it is good for us always to discuss these issues and to recognize how very important they are to individuals, but to be very aware that they may seem like a simple matter, to enshrine property rights. I would suggest to the member that it's far from a simple matter and that we need far more discussion.

Mr David Tilson (Dufferin-Peel): I too would like to congratulate the member for Norfolk in bringing this issue forward at this particular time. It's an issue that has been debated across this province and across this country for quite some time, of course, the debates as to our absolute right towards property versus the right for a government to do certain things with respect to individuals' property.

Our home is our castle. I think we all believe that and we are all concerned with governments or government agencies infringing upon our rights to hold property. We need to protect our rights and we need to ensure that governments and government agencies act responsibly with respect to any actions with respect to our property.

This debate has gone on for some time, and I must say that this particular piece of legislation that is before us is certainly a radical change to expropriation law with respect to this province or indeed any other province around the country. The Expropriations Act for the province of Ontario allows some governmental authorities to take people's land without their consents: municipalities, the provincial and federal governments, Ontario Hydro. There are about 100 expropriation proceedings, as I understand it, going on around the province of Ontario, whether it be for sewers, roads, widening of highways; there are all kinds of things.

I must say I agree with the member for London Centre that this piece of legislation, if it were passed in the form that it is—I support the member in his honest belief that we need to protect our homes, our properties. I don't want to repeat the member for London Centre, who put it very well, but I agree with her comments with respect to section 9.2: "A person's home is inviolable"; it's sacred. If that section were followed with respect to our laws today, it would probably mean that for a government or a government agency, whether it be for the widening of highways, creating a new road or a sewer, it would make it legally impossible to do those sorts of things.

I don't think that's the intent of the member's bill, and it may well be that further studies should be done with respect to expropriation. Expropriation has been considered by the British Columbia Law Reform Commission in 1971. It was considered by the Canada Law Reform Commission in 1976. The Ontario Law Reform Commission has never studied it, and it may well be that the member's raising it this time would be a suggestion to our government to recommend that it be studied.

But the law today provides that land cannot be expropriated without fair compensation. That compensation can be determined by the Ontario Municipal Board after a fair hearing. The owner of a target property can bring experts to be represented by counsel. I will say that the equal balance that has been mentioned by the previous two speakers, in my view, will be broken with respect to this law.

The first provision in the bill certainly is a radical change to expropriation law. At present, the control over expropriating for an improper purpose is political; that is, public debate and eventual re-election or not. In other words, if something happens—the IWA is a prime example. The NDP government was thrown out in those areas for its actions with respect to attempting expropriation.

The whole issue of costs and the whole issue of fair hearing: If what is being suggested by this bill was followed through with this bill, the cost would be unbelievable, the cost of lawyers, the cost of legal proceedings and quite frankly the whole decision of decisions being made by the courts. Many of us are concerned with the decisions that are made by the courts with respect to charter decisions. We wonder, "Good heavens, what are these decisions that are being made?"

So the whole radical change needs to be reviewed. Although I applaud the member for Norfolk in bringing this forward at this time, I think it would be more appropriate, as the member for London Centre has stated, to study in more detail some of the implications that he has put forward.

Mr Bernard Grandmaître (Ottawa East): I would like to congratulate the member for Norfolk for bringing to our attention this very important bill. I would like to ask him to give me more details, especially on the Expropriations Act. I've been involved in—what?—five different expropriations in the province of Ontario in my own municipality when I was mayor, and I want to tell you that it's a very costly process.

I would like your bill, or your motion, to bring about a more accessible process for the simple reason that, as was mentioned before, people who are being expropriated of their property do have an opportunity to go before the Ontario Municipal Board and have their expertise given to the OMB—and also their lawyers.

I'm sure the member will agree with me that this is the most expensive process, and people are very concerned about the Expropriations Act and also about the OMB. As you know, municipalities are forever challenging the OMB, and people are forever challenging the OMB. But some people and some municipalities are simply shying away from challenging the OMB or challenging municipalities because it's a very costly process.

You talk about full and fair hearings and compensation. I agree with you that people should be fairly compensated, because after all it is your property, and you should be compensated justly.

On part I.1, "Property Rights," of your bill, section 9.3:

"Respect for private property

"9.3 No one may enter on another person's property or take anything from it without the person's express or implied consent."

I had the opportunity to sit on the standing committee on general government last year when we considered Bill 120, which we referred to as the basement apartment bill. I want to remind you that building inspectors, fire prevention people and especially municipalities wanted free access to your basement apartment so that we could—or have the government which introduced the bill—have access to these apartments and make them safer. But the government's bill was a little different than we expected. They wanted people automatically with basement apartments to be considered as legal apartments. This is why we opposed the bill.

I want to ask the member, before I stand and vote for your bill, could you amplify or give me more information on section 9.3 of the property rights part of your bill and also tell me how the Expropriations Act can be amended to make it more accessible to every citizen in the province of Ontario?

1150

Mr Gary Fox (Prince Edward-Lennox-South Hastings): It's with great pleasure that I rise in the House today in support of the member for Norfolk's Bill 11. The need for such a bill has never been more apparent with the advent of legislation such as Bill 163. Unfortunately, under the current system the rights of property owners are in jeopardy.

Although I am a firm believer in protecting our environment, I also believe that this protection must be balanced with the rights of property owners to peacefully enjoy their property or to be compensated fairly for it.

In my riding, the issue of property rights is close to the hearts of many of my constituents. Largely this riding is a rural one, and the land that is owned is the means by which many make their living. Over the years the rights of property owners have been at risk. The concern that I have is that if left unchecked, the frequency of these incidents will increase.

It can be argued that Bill 163 has provided for the expansion of provincial interests in areas of land use planning. This stems from the new requirements the law prescribes that municipalities shall adopt planning policies consistent with provincial policy statements. As a result, substantial restrictions are placed on municipalities when developing their official plans. This, in turn, affects the individual property owners, who under the current system have little recourse when they feel that their rights are being infringed.

One of many examples of provincial policy statements that impact a property owner is known as areas of natural and scientific interest, or ANSIs. This term is used by the

Ministry of Natural Resources to describe areas, both public and private, that it deems to contain important natural landscapes.

The ANSI program is not covered under any ministry legislation, nor is it mentioned in the Planning Act. Instead, MNR developed a policy plan that has a substantial impact on both municipalities and property owners but is not entrenched in legislation.

This is not to say that conservation programs do not have merit. I do believe, however, that if policies such as the ANSI program are to continue, there must also be a definitive method by which those who are being affected can state their case.

I know that many of my constituents are frustrated with the current system or lack thereof. Living in this great province, enjoying the many freedoms that we do, it would seem obvious that the property rights of law-abiding citizens would be firmly protected. This, however, is not the case.

There is no statute in this province that protects what many believe is a fundamental right. By amending the Human Rights Code and the Expropriations Act, what Bill 11 strives to do is secure protection of private property rights and ensure that objections and compensation issues can be fairly dealt with.

I believe that the time for this kind of legislation is long overdue. In rural Ontario and across this province, the Ontario government has a key role to play in protecting the property rights of its citizens. Bill 11 will help to ensure that this happens.

Mr Bill Vankoughnet (Frontenac-Addington): I would certainly like to take this brief opportunity to congratulate the member for Norfolk on his support for the right of our people to the peaceful enjoyment of private property and compensation in case of expropriation.

There is certainly a fine line between individual rights versus the collective good in our communities. As an example, I just want to state that property rights are really a part of our heritage, especially along the Loyalist Parkway just west of Kingston. Our Loyalist ancestors were granted land in 1784, after adhering to the loyalty of the crown at the time of the American Revolution.

I find it frustrating that both provincially and federally Ontarians lack solid protection when it comes to the peaceful use and enjoyment of their property. It is in keeping with the spirit of our party that we protect the individual by upholding his or her right to the full enjoyment and usage of property.

A case in point relates to one of my constituents, who was interested in severing his land for sale to a potential buyer. When attempting to fill out the application for severance, this citizen, needless to say, was shocked and outraged when he discovered that the land was designated, without his prior knowledge, as an area of natural and scientific interest. We don't even know if this was an official ANSI designation or the work of some bureaucrat at the local level who just felt it should have been categorized as such. Here we have a situation where an individual's rights have been obstructed in trying to profit

from an economically viable use of his private property, not to mention the inconvenience of the potential buyer.

In the riding of Frontenac-Addington, many of my constituents earn their livelihood and living from the land that their ancestors have worked for generations. The land has belonged to their families for several decades, some going back as far as the 1700s and early 1800s. The land represents to those people what Canada is all about: freedom and an opportunity and the chance to savour the fruits of one's labour.

This form of private property can also be affected by laws that favour the government's agenda instead of individual rights. If part of a property has been set aside by the Ministry of Natural Resources as a wetland or as an area of natural scientific interest without their knowledge or an opportunity to appeal, which I feel is very, very important, then an individual's right to enjoy and prosper from this property has been severely infringed.

Further to the agricultural interests in my riding, constituents are also quite concerned with the uses of abandoned railway rights of way. Many of these abandoned stretches of land cut through the private property of many agricultural and individual land owners. The majority feel their private property should be protected by having the land in question offered to them first when it is put up for sale. Certainly the land is offered to all levels of government first, before adjacent land owners have an opportunity to make an offer. Giving the land owners first opportunity to buy would give them a chance to ensure that trespassing, vandalism and littering would be non-existent. Also, the land owner can protect the integrity of his or her land through drainage, fencing and such things as weed control.

Another area encompassed by the issue of private or personal property is the issue of gun control. Through federal legislation, Bill C-68, hundreds of thousands of law-abiding gun owners will be forced to open their homes, their private property, to police inspection. If there is a minor infraction of the convoluted storage laws, for example, the inspection can be turned into a virtual ransacking of that private home. Under the bill, a gun can also be confiscated on the death of an owner. Current laws seem to promote unwarranted entry into the private dwellings of law-abiding citizens and confiscation of their private property.

Surely this cannot be supported in a democracy such as ours here in this province, in this country today. Private property is not as fully protected under current laws as we would like to see them. This is why this bill today is so important, that we have an opportunity to further the fundamental cornerstone of our society. It is a part of what makes this country great, what has attracted people from all corners of the world to this province and to this great country. Giving the protection it deserves under the law is very important, and I look forward to supporting this bill and the principles it entails.

The Deputy Speaker: The Chair recognizes the member for Norfolk, who has two minutes.

Mr Barrett: I would like to thank the honourable members from both sides of the House for their valuable input. I appreciate the comments of the Liberal member

for Timiskaming and the NDP member for London Centre.

I agree, we must be stewards of the land we own. I also have a creek on my clay loam farm, and in my view, enhanced property rights will better enable me to deal with farmers upstream.

I've stated property rights are an inherent right, a fundamental right that dates back in written law to the Magna Carta of 1215, the cornerstone of our common law. In 1960, the Canadian Bill of Rights also affirmed the right to the enjoyment of property, but in 1982, the Canadian Charter of Rights and Freedoms omitted any mention of property rights.

Ontarians do not now have sound protection for their right to peacefully use and enjoy their private property. This has serious implications for both urban and rural ridings, such as mine in Norfolk.

Under section 92 of the British North America Act, each province has the exclusive powers to make laws in relation to property and civil rights in the province. The protection of our inherent property rights in a free and democratic society must ensure that we are not deprived of those rights without legal, fair and just compensation.

In seeking support for private member's Bill 11, the Property Rights Statute Law Amendment Act, 1995, I would pose one question to the members at this time: Do you believe on a fundamental level that a society has an obligation to protect the rights of its citizens to use and enjoy their private property within the limits prescribed by law?

I truly believe, as former Prime Minister Trudeau did, that we must respect and protect individual rights and freedoms, and I ask that this belief be extended.

SPENDING REDUCTIONS

The Deputy Speaker (Mr Bert Johnson): Mr Christopherson has moved private member's notice of motion number 3.

Are there any members opposed to taking a vote at this time?

Shall the resolution carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the nays have it.

I declare the motion lost.

PROPERTY RIGHTS STATUTE LAW AMENDMENT ACT, 1995

LOI DE 1995 MODIFIANT DES LOIS EN CE QUI CONCERNE LES DROITS DE PROPRIÉTÉ

The Deputy Speaker (Mr Bert Johnson): Mr Barrett has moved second reading of Bill 11, ballot item number 4.

Are there any members opposed to voting at this time?

Shall the motion carry?

Those in favour, say "aye."

Those opposed, say "nay."

In my opinion, the ayes have it.

I declare the vote carried.

This bill is ordered to the committee of the whole House.

Mr Toby Barrett (Norfolk): Mr Speaker, I request the consent of the House that this bill be passed to the standing committee on justice.

The Deputy Speaker: Agreed? So ordered.

It being past 12, this House stands adjourned until 1:30 of the clock.

The House recessed from 1205 to 1331.

SUPPLEMENTARY ESTIMATES

Hon David Johnson (Chair of the Management Board of Cabinet): Mr Speaker, I have a message from the Honourable the Lieutenant Governor, signed by his own hand.

The Speaker (Hon Allan K. McLean): The Lieutenant Governor submits supplementary estimates of certain sums required for the services of the province for the year ending 31 March 1996 and recommends them to the Legislative Assembly.

MEMBERS' STATEMENTS

SCARBOROUGH GENERAL HOSPITAL

Mr Alvin Curling (Scarborough North): I want to alert this House to the serious health risk to the people of my riding from the recommendations about the Scarborough General Hospital made by the Metropolitan Toronto District Health Council.

It is proposing to close all 34 inpatient beds at the hospital and transfer specialized newborn care to regional centres.

Scarborough General Hospital currently treats 20,000 children each year through its emergency department, and 2,600 of those children require admission each year. Close those paediatric beds and those families with sick babies and children who need admission will have to travel to another centre far away.

Scarborough General Hospital is centrally located in an area of high need for paediatric services. Many of those families rely on public transportation. Can you imagine a mother caring for a young child having to trek long distances, waiting for a bus in the cold in the dead of winter? Without a special-care nursery, how will the hospital offer services to pregnant women and the 2,600 babies born there every year? And who will serve the growing number of new Canadians whose children receive care at Scarborough General? The hospital has a special ethnocultural patient service and is uniquely set up to offer sensitive care to my diverse community.

Finally, the recommendations ignore the fact that Scarborough General is a cost-effective hospital. It is one of the top three hospitals in Metro, based on performance measures. It has always balanced its budget. If the objective of restructuring was to save money, the DHC has chosen the wrong hospital and the wrong population to impact.

We must stop this proposal before the health of the people of Scarborough is endangered.

LABOUR LEGISLATION

Mr Rosario Marchese (Fort York): In a single day, the government has pushed its labour bill through the

Legislature. The government's amendments were kept from members until the last possible moment and even government members had to vote on this legislation without knowing what was in it.

Over the next few months, we will see the disastrous consequences of Bill 7 on the wages and job security of thousands of Ontario cleaners and security guards. Under this bill, when a company switches cleaning or security contractors, the new contractor can hire back the staff at lower wages. Government members can now consider what great policy objective will be achieved by lowering the wages of the people who clean their offices every morning.

I'm told that many of the security guards voted for the present government. For many, their reward will be a pay cut. That is the one key plank of the Common Sense Revolution that the government does not talk about: driving down wages.

This week, security guards and cleaners had a good look at that agenda. It does not seem to matter that lowering the pay of a private sector security guard or cleaner does not reduce the deficit by one penny or that lower incomes mean lower domestic demand. Reducing wages is the order of the day. The government's attack on wages and its haste on all fronts may lead us to something unprecedented in our history: a made-in-Ontario recession.

As for the cleaners and guards who spoke at the press conference we had today, they work hard for very modest wages. They deserve better than what is now coming their way.

TAKE OUR KIDS TO WORK DAY

Mr Toni Skarica (Wentworth North): As the parliamentary assistant to the Minister of Education and Training and as the member for Wentworth North, I rise in the House today to convey my ministry's endorsement and support of Take Our Kids To Work Day on November 8.

Support and encouragement of partnerships is a key principle of this government. Take Our Kids To Work Day is a wonderful example of a successful partnership between the world of business and the world of education, between adults and adolescents and between parents and their children.

I hope that some of my colleagues in the House will be host to a grade 9 student next Wednesday, as thousands of students across the province spend a working day with a parent, guardian, relative or friend. At the Ministry of Education and Training, about 35 students from two high schools near Queen's Park will be matched with a mentor at the ministry. Staff will show the students many aspects of their daily work, from how mail gets distributed to the use of the Internet.

Take Our Kids To Work Day is an event initiated and sponsored by the Learning Partnership, formed by representatives of the business and broader community. It is a partnership that can help students clarify and reach their goals and dreams. Together, government and business and our whole communities can create more opportunities for our young people and for ourselves, and continue to build a healthy and prosperous economy now and for the future of our children.

COURT FACILITY

Mr Dominic Agostino (Hamilton East): I rise today to speak to the further cuts and delays in the Hamilton courthouse. Hamilton's new \$64-million courthouse is falling victim once again to Conservative government spending cuts. This project has been frozen as the result of a province-wide review of all capital projects.

Hamilton already has felt the cutbacks through the delay of the promised Red Hill expressway. The cut to the \$5-million cultural industry strategy, the cut to the \$5 million for Barton Street, the elimination of funding for the United Nations school at McMaster, which would have been the first UN school in North America, the broken promise of 1,000 non-profit housing units, which would have provided housing for the most vulnerable citizens of Hamilton-Wentworth—each one of these initiatives would have created jobs and would have stimulated growth in the Hamilton-Wentworth area.

The courthouse is another initiative which would create jobs and inspire progress in the Hamilton area, squashed by Mike Harris and the Conservative government. It was an initiative commenced by the previous government, by the NDP, and I'm pleased to tell the Premier that I supported the initiative as one of the few good things the previous government did in Hamilton-Wentworth. It minimized a little bit of what was done about the expressway, but truly we appreciated the courthouse project and the work by the previous government initiating that.

This government has now moved to delay this project. Some \$10 million have already been spent on this new courthouse, not to mention the years of planning. With the delay, we now have an 80-year-old building in danger of deteriorating as a result of this government. I ask very clearly the members across the House, when is this Conservative government going to stop the blatant disregard of Hamilton-Wentworth and give us some of the initiatives we deserve?

FURNACE VENTING SYSTEMS

Mr Gilles Pouliot (Lake Nipigon): Last month, the Ministry of Consumer and Commercial Relations issued a director's safety order regarding high-temperature plastic vents on mid-efficiency furnaces. In response to this order, many of my constituents in Lake Nipigon contacted the local gas company, only to find out that indeed their furnaces were unsafe. In some cases, these furnaces were less than two years old.

The venting system installed on these furnaces was pre-approved by the ministry. Now the ministry refuses to accept its responsibility. The manufacturer is not to blame; after all, the vents were government-approved. The installer isn't to blame; after all, the vents were, one more time, government-approved.

What are the people in Lake Nipigon supposed to do? They're simply asking for recourse, that the government take its own responsibility and express that responsibility by way of a cheque in the mail to compensate the people of Lake Nipigon.

1340

WASTE REDUCTION WEEK

Mr Doug Galt (Northumberland): It gives me great pleasure today to advise you and our fellow members that

next week, November 6 to 12, is Ontario's 11th Waste Reduction Week. This event, coordinated by the Recycling Council of Ontario, raises awareness of the three Rs—reduce, reuse and recycle—and encourages all people to reduce waste.

Hundreds of communities and schools across the province are planning special activities to recognize this important week. Here are some examples: a contest between Ajax and Pickering to send the least waste to the landfill; Sudbury's Perfect Blue Box contest; and the collection of sports equipment by Brewers Retail stores across the province.

I hope all members will support and participate in the events being held in their ridings in this coming week. Let us all join together and offer our congratulations and appreciation to the Recycling Council of Ontario, and particularly to the hundreds and hundreds of volunteers working to make Waste Reduction Week a success.

JACK GATECLIFF

Mr James J. Bradley (St Catharines): On November 20 of this year, an outstanding citizen of St Catharines will receive an honour he has well deserved. On that occasion, Jack Gatecliff will be inducted into the Hockey Hall of Fame.

Although Jack has always been deeply involved in our community and its sports life, he is well known beyond the borders of St Catharines for his reporting on sports of all varieties.

Gate, as he is known to friends around the sports circuit, has been a journalist with the St Catharines Standard since May 1947 and has enjoyed sharing his observations on the sport of hockey, from the games of the youngest tykes to the top professionals in the business. His style has been described by fellow Standard writer Dave Feschuk as "honest without being vicious, insightful without betraying locker room trusts."

Not only is Jack Gatecliff to be among the distinguished individuals elected to the Hockey Hall of Fame, but he is also an esteemed member of the Canadian Lacrosse Hall of Fame, soon to be located adjacent to our museum complex in St Catharines.

Although Jack was an above-average player with the St Catharines Falcons Junior A hockey team and played some competitive hockey in Scotland, his elevation to the hall of fame came as a result of his contribution to the sport of hockey as a journalist.

Jack's colleagues at the Standard, his friends, his acquaintances and the many with whom he has associated through sports will be delighted to see him as a hall-of-famer, but none will be as proud as his wife, Alice, and his son, John.

Congratulations to a friend of sports and a great guy.

MINISTER'S COMMENTS

Ms Marilyn Churley (Riverdale): Yesterday, the leader of my party again raised the topic of the minister responsible for women's issues' alleged threats during a meeting with advocates for battered women and asked for a legislative committee to investigate these very serious claims.

The minister replied, "I don't think the taxpayers should be spending money on irrelevant situations where you have no proof except one person and a few women."

I had expected that the issue of women being persons had long ago been settled, and indeed back on October 18 the minister spoke at some length about the importance of Persons Day, so you can imagine my surprise in hearing the minister differentiating between women and persons.

I would also suggest that given this government's low tolerance for dissent and established hostility towards anyone who disagrees with its agenda, a minister making threats to vulnerable communities is hardly an irrelevant issue. These are matters of fundamental democratic rights that deserve a more careful response than we got from the minister.

Finally, about the minister's remark about lack of proof, we have a majority of the women—persons—who were in the room that day saying that she did indeed make these comments. If the minister is as concerned with establishing the truth as she would have us believe, then she ought to quickly agree to a process to investigate these issues and clear up exactly what she said and what she did mean in that meeting.

CRIME PREVENTION WEEK

Mr Gary Carr (Oakville South): I'm pleased to announce that next week is Crime Prevention Week in Ontario. While crime prevention is a year-round activity, this designated week is an opportunity for heightened participation by everyone towards creating safer and more secure communities throughout Ontario.

Crime prevention is an individual as well as a community responsibility. This year's theme of police and community working together reflects the fact that partnerships between all segments of society and their local police services go a long way to ensuring the safety and security of all.

It would take far too long to go through some of the examples, but I will share a couple: seminars by community policing officers on topics such as telemarketing fraud, abuse, Crime Stoppers, and stranger awareness or street-proofing; Child Find videotaping that will be done by local OPP detachments and their community policing committees; and registration in the Combat Auto Theft program sponsored by Crime Prevention Ontario and the Canadian Automobile Association, which will help reduce auto theft.

During Crime Prevention Week we salute and encourage the people and communities throughout Ontario to get involved in addressing crime prevention needs in their communities and in helping to make a difference in the quality of life for the people of Ontario.

Ms Frances Lankin (Beaches-Woodbine): I would like to request unanimous consent for statements on Wife Assault Prevention Month.

The Speaker (Hon Allan K. McLean): Do we have unanimous consent? I hear a no. Do we have unanimous consent? Okay. The member for Riverdale.

WIFE ASSAULT PREVENTION MONTH

Ms Marilyn Churley (Riverdale): I'm glad the government has changed its mind, after asking for

unanimous consent yesterday, that they have changed their minds and allowed us to speak about this very important educational month in Ontario.

I must say that we were appalled yesterday when we were not given permission, appalled that the minister herself—the government of the day traditionally takes the lead role in discussing and educating people about this month and how important it is to the public.

I'm finding it unbelievable, particularly during this month, that the minister continues to stand over there and tell us how committed this government is to preserving core services and important services for women to combat violence, when the reality is, as we know, that she will go back to her office and continue to participate in slashing services and programs designed to protect and support poor and vulnerable women and children.

It's obvious to me that this minister and this government fail to comprehend that the abuse of women is a thread that runs through our society and to adequately address it requires a comprehensive approach. It's just not enough to make these disjointed statements and say, "Oh, we're trying to coordinate services; we're meeting with groups," and then we're told that these meetings don't run quite the way the minister says when she talks about them in the House.

The minister continues to talk about preserving core services, and it's not clear that she understands what she's talking about, because core services have been cut. We all, on this side of the House, understand that, and we hear about it day after day after day.

In situations where women are being abused, it is absolutely necessary that more than a bed be provided for a few nights. You need to make sure that the support services—the counselling, the employment, the child care, the counselling for the children who often witness the abuse—is available to these women. In some locations, and I talked about one yesterday, in smaller towns, there are no other services available and the core services are being cut.

Women, as I and other members of my caucus have said time and time again in this House, are disproportionately being affected by the cuts being made by this government. Women have to have financial independence before it's realistic to expect them to break ties with their abuser.

The kinds of cuts that affect women that have taken place to date, just to date, and the kinds of cuts directly affecting women who are the victims of abuse are absolutely appalling. This government said in its Common Sense Revolution and its blueprint for justice, I believe it was, for the victims' rights bill, that no amount of money is enough for services for women who are victims of violence, and that it would in fact preserve these services and indeed maybe increase them. In fact, the opposite is happening and they are being cut.

I will finish my comments by saying today that I believe the government across the way is literally—and I thought very carefully before saying this, but it's true in this case—possibly playing with the life and death of women in this province, the most vulnerable people. How

much more vulnerable can you get when you have people, women, who are being threatened with death and who are being abused?

I ask the minister today and the government across the way to review, to look quite seriously at what is happening, and to reinstate the funding to help combat violence against women. I hope when the minister speaks today, if she is speaking, that she will in fact make these announcements.

1350

Mrs Lyn McLeod (Leader of the Opposition): I was not surprised that the government did not come forward yesterday to make a statement on Wife Assault Prevention Month, as previous governments have done. I'm going to be very interested to hear in fact what kinds of statements the government's prepared to make today, having given us unanimous consent to at least acknowledge that this is indeed Wife Assault Prevention Month.

I suspect that there will be an attempt made to rebut charges that have been made consistently in this House over past weeks and which the government has refused to answer. I suggest that all the words in the world about concern will not undo the damage that has been done to abused women and their families by this government in a few short months.

The attack on women began when the government ended the ad campaign against wife assault, an ad campaign that carried the absolutely critical message that wife assault is indeed a crime.

The attack on abused women and their families has continued with the withdrawal of funding for second-stage housing, taking away the very support that's needed by those who have been abused to be able to escape the abusive situations and to be able to establish independent lives.

Indeed, the government continues to say, "We have not taken away second-stage housing; we've just withdrawn the counselling support." But all in fact that is left is bricks and mortar. There is none of the support that is needed in order to provide for the safety and security of women and their families, let alone the support to be able to re-establish their sense of self and their ability to find productive work outside their home.

When you stop the program that was aimed at the prevention of abuse and when you withdraw all the support for those who have been abused, all that is left is crisis shelter, and the only choice then that is left to abused women is to return to the abusive situation, and that abusive situation is then even more dangerous because there has been an attempt to flee.

Without the support that is needed to escape an abusive situation and establish independent lives, women will be afraid to leave abusive situations, and we have seen that for generation after generation. They will stay in abusive situations, and they will continue to suffer. As I spoke to the director of the emergency shelter in my home community, she said to me, in tears, that because of this government's actions, women will die.

I believe this is shameful, and what is truly appalling is that this government refuses, absolutely refuses, to

acknowledge what it has have done, let alone the impact of its actions. I truly believe that this kind of blind, unconcerned cost-cutting will have a long-term cost to our society and to individuals that will be immeasurable.

I join in the call that this government today, in recognition of Wife Assault Prevention Month, reinstate the essential funding to provide support for both the prevention of wife assault and the support for those who need that help once they have been in abusive situations.

Hon Dianne Cunningham (Minister of Intergovernmental Affairs, minister responsible for women's issues): I should say that we were the only party that used some of our members to speak on behalf of Wife Assault Prevention Month yesterday. These statements, I would suggest to all members of this House, should be presented on behalf of your constituents to get the message out that assault is not tolerable, that we will not put up with violence against women and that this government, in fact, in its violence-against-women portfolio dollars, intends to keep it as sound as we can. At this point in time I believe the budget has been reduced by some \$2 million, but we have almost \$100 million in that program and we intend to protect those programs as far as possible.

To all of the members of this House, I think we do need assistance in these times, when there aren't the same kind of dollars. The leader of the official opposition talked about the ad campaign. You should know that in the past we have spent \$475,000 on TV ads. We felt that that money would better be spent with families, so we did take the ads off the television. That's not to say that in some non-profit public relations organizations—we in fact are sharing those ads which we've paid for so they will be used across the province of Ontario in a more efficient manner, and certainly not with the taxpayers' money.

I do want to celebrate the fact that all of us have a responsibility with regard to awareness and prevention of wife assault, especially during the month of November, when we tried to get the message out. It marks the beginning in Ontario of the 10th wife assault public education campaign.

I'd like to say that the philosophy behind this campaign, the safety of women from abuse in their homes, is one that should be addressed not during the month of November but 365 days of the year. Too many women are affected by violence. Too many women do not feel safe in their own homes, do not feel safe in their own communities, and the wife assault public education campaign is part of the government's approach to the prevention of violence against women.

It will take the collective efforts of all of our citizens to end violence against women, and I can say it starts at a very early age. To that end, the Minister of Education and Training and myself were at Mayfield Secondary School in Brampton last week to celebrate the launch of a project called The Joke's Over. In that campaign in our schools, we told that simple harassment leads into abuse, and the very beginning of abuse starts at very early ages. That was meant in recognition of the fact that we're moving into the month of November, we want to get the message out, and I have never in my life been to a more

profound assembly by a more mature group of young people, who actually presented the message to us.

And the joke is over. We will not put up with sexual harassment. Sexual harassment leads into violence, which leads into violent wife assault, and we will not tolerate it in the province of Ontario.

I can also tell you that the government strongly supports community involvement in public education as a means to end violence against women in Ontario, and to this end our government has provided assistance to 112 community organizations across the province to develop public education projects on wife assault in their communities. These projects, I'd like to share with my colleagues, came from all parts of Ontario. We tried to distribute the same amount of money as in the past to as many communities as we could, taking into consideration the fact that some of our communities are so much more remote than others and don't have the same kind of resources that we have in some of our larger urban municipalities, and that was a very strong consideration in the dispensation of the funds.

As the member for Durham-York stated yesterday, this government is building on the idea of community responsibility. The wife assault campaign asks everyone to be part of the solution in ending this serious social problem.

My government will continue to work to create safety for women in their homes and in their communities.

Mr Derwyn Shea (High Park-Swansea): Mr Speaker, I rise to seek unanimous consent of this House to make a statement for Remembrance Day.

The Speaker (Hon Allan K. McLean): Do we have unanimous consent? Agreed.

REMEMBRANCE DAY

JOUR DU SOUVENIR

Mr Derwyn Shea (High Park-Swansea): It's my privilege to rise to pay tribute to the thousands of Canadian men and women in our armed forces who made the ultimate sacrifice for freedom's sake and whose memory we honour on Remembrance Day.

This year we commemorate the 50th anniversary of the end of the Second World War and Canada's role in the liberation of Holland. On D-Day, June 6, 1944, Canadians, a number of whom were members of this Legislature, landed on Juno Beach in Normandy and then linked up with others advancing northward from Italy to drive Hitler's armies from the Netherlands.

In the light of recent events, it is especially poignant to reflect upon the comments of one eyewitness, who described one particular event during that conflict as follows: "We were pinned down by enemy machine-gun fire. Two members of my platoon were killed. Each died trying to protect the other. One was from Ontario, the other from Quebec. But in death they weren't English or French. They were comrades in arms. They were Canadians." Whether from Ontario or Saskatchewan, the Northwest Territories or Alberta, with obscene frequency that event was repeated day by day in too many conflicts and in too many places involving brave, heroic men and women serving in our army, navy and air force in

theatres all around this globe, serving as peacemakers and as peacekeepers.

Today we acknowledge their sacrifice and their families' sacrifice. Today in this Legislative Assembly we recall with profound respect their gift to this beloved nation. Thanks to them and many others we celebrate the fact that we are heirs to the great values of freedom and democracy as citizens of Canada from ocean to ocean to ocean.

On November 11, may we bow our heads in honour of their precious sacrifice. Let us never forget them. At the 11th hour, in the twilight, we will remember them. God bless their sacrifice.

1400

Mr Gilles E. Morin (Carleton East): Once a year we are called upon, as individuals and as citizens, to remember the past, to reflect upon specific moments in our collective past. For a brief moment we're all united in the knowledge that not such a long time ago war was present in our lives, and war was not a glorious adventure; war meant sacrifice, courage, death. War meant fear of the unknown, fear of losing a loved one. Once a year, at the very least, it bears reminding that war is not just a blight which settles upon distant shores, and it is important to remember not just the collective dimension of armed conflict but the individual experience. For that is what truly brings home the inhumanity of war.

When Canadians gather to commemorate Armistice Day on November 11, many will reflect upon the First World War. Many more will remember the Second World War, the Korean War, the Gulf War and Canada's involvement in recent peacekeeping missions. We will not all share the same memories, and that is to be expected. We will all, however, dwell upon the uncommon bravery of those who left and continue to leave family, home and country in the name of values that remain meaningful and relevant today.

Bettie Campbell will remember the Second World War. She had trained as a nurse in Toronto before joining the Nursing Sisters in Regina in 1942. Nursing Sisters are nurses who have cared for Canadian soldiers in many armed conflicts, including the Boer War, the two world wars and Korea. Nursing Sisters, though they weren't called that at the time, first appeared during the Northwest Rebellion in 1885. As their status evolved they acquired military ranking.

Mrs Campbell was a lieutenant Nursing Sister. In 1942 she was sent to Yorkshire, England, with the number 8 Canadian Battalion from Saskatchewan. In July 1944, Mrs Campbell worked in an army hospital in Bayeux, France, where she cared for Canadian soldiers involved in the D-Day invasion. She also tended to prisoners of war.

The 600-bed hospital was but a few miles away from the action. It received patients from casualty clearing centres. During this time Mrs Campbell lived in a tent. There were shortages. It could not have been very comfortable, but she says that she didn't think too much in terms of time off and mainly concentrated on the task at hand, looking after "our boys." She continued to treat

Canadian casualties in Belgium, then in Holland, before returning to Canada in June 1945.

I want to point out that Mrs Campbell volunteered for the job. Nurses were needed. By her presence, by just a few moments spent chatting with a patient, she was able to comfort young soldiers who had faced the trauma of battle.

Mrs Campbell was a member of the official Canadian delegation attending ceremonies in Holland this year commemorating the liberation of Holland. Just for your information, 4,600 nurses shared Mrs Campbell's courage and dedication. It is my honour today to recognize the extraordinary valour of these volunteers.

Corporal Ernest William Poole of the Royal Canadian Army Medical Corps served 20 years with the Canadian Forces. He will remember the Korean conflict, for during that time he earned a Distinguished Conduct Medal. I will not read the entire citation, but this is what happened:

On October 3, 1951, the Royal Canadian Regiment was moving forward against enemy opposition as part of a larger attack launched by our own forces. Enemy retaliation was inevitable. It came quickly and intensely. There were casualties on the Canadian side. Steep slopes and thick underbrush made it difficult to determine the nature and location of all the casualties.

Corporal Poole was responsible for the stretcher-bearers with B Company during this mission. Under intense enemy fire, he proceeded to administer first aid and to ensure the evacuation of the wounded. When told that he could be killed, Corporal Poole replied, "I have a job to do and I am going to do it." Despite enemy snipers and machine-gunners, he searched the entire area for casualties and did not stop until they had all been accounted for. He even, while under fire, improvised stretchers from rifles and tree branches.

For 48 hours, Corporal Poole continued to tend to the wounded, conscious only of his duty. As the citation reads, "No obstacle, no hazard, no personal danger was allowed to stand in his way; his selfless devotion to his work was in the highest tradition of military service."

In recent times, Canada's military involvement has largely been in collaboration with the United Nations' peacekeeping objectives. Canada has committed over the last four years to having more than 17,000 soldiers and 4,000 reservists involved in peacekeeping activities in war zones.

These war zones do not fit the classic image of warfare. They are a product of a changing world where the instability or scarcity of resources and political tensions create many high-risk situations. As a result, peacekeeping forces serve complex mandates. They assist in the resolution of military conflicts through new tactical and multidisciplinary methods which involve everyone from the soldier to the diplomat to the politician. More importantly, peacekeeping forces serve humanitarian purposes which require a greater commitment on the part of citizens and governments.

Canadians can rightly be proud of the role our armed forces have played and continue to play in the promotion of peace and order throughout the world. They accom-

plish their work under the most difficult and dangerous conditions. They may receive fewer physical injuries than in classic combat situations; however, they suffer significant emotional traumas. Whether in Yugoslavia or in Rwanda, they face hour by hour the suffering, deprivation and atrocities that only human beings can inflict upon one another. The savagery civil war inflicts upon innocent populations is inescapable.

Major-General Roméo Dallaire knows just how difficult a peace mission can be. In July 1993, he took command of the United Nations Observer Mission Uganda-Rwanda and the United Nations Assistance Mission for Rwanda. It is for this last mission that Major-General Dallaire was awarded the Meritorious Service Cross.

Major-General Dallaire was responsible for the implementation of a peace agreement between rebel forces and the Rwandan government, for the transfer of people into safe zones, distribution of food and medicine, and evacuation of the injured. Throughout the crisis, he also supported humanitarian relief action. This illustrates well the complexity of his mandate and the enormous difficulties faced by the 2,600 troops under his command.

1410

The major-general's experience in Rwanda vividly demonstrates the crucial role peacekeepers play in resolving conflict and in alleviating the effects of humanitarian catastrophes. It is no cliché to say that there exists a moral imperative to act where there is tremendous human suffering. We simply cannot stand by and watch.

Major-General Dallaire is not a man who stands by and watches. He is deeply committed to the peacekeeping process. If I may refer to his citation for the Meritorious Service Cross:

"This valiant Canadian officer displayed exceptional professionalism and leadership and altruism of the highest order despite perilous circumstances while commanding the United Nations Assistance Mission for Rwanda.... Thousands of lives were saved through his unflagging efforts."

Je tiens à souligner que le service militaire d'aujourd'hui, autant que celui d'hier, exige une discipline exceptionnelle. Les Canadiens et les Canadiennes ont beaucoup d'attentes vis-à-vis les forces armées de notre pays et elles méritent notre entière confiance.

Today we honour three individuals, and through them the many more who have served their country. We recognize their dedication and reaffirm, as we must, our strong support and appreciation. Please join with me in welcoming to this chamber, in the Speaker's gallery, Mrs Bettie Campbell, Mr Ernest Poole and Major-General Roméo Dallaire.

Mr Bob Rae (York South): Very briefly, to join the comments made by my colleague the member for High Park-Swansea and my good friend the member for Carleton East, on behalf of the New Democratic Party I would simply like to say that we pay tribute over the next number of days to the extraordinary courage and dedication of hundreds of thousands of our fellow citizens who have made Canada what it is today and who have allowed us, in this generation, to live in freedom and security.

Last year on Remembrance Day, together with the Prime Minister and eight other premiers, I attended at a Remembrance Day ceremony in the cemetery at Hong Kong. I would say to members that it was without question the most moving Remembrance Day ceremony that I've ever attended: moving because there with us, listening to the words of the Prime Minister, were, without question, some of the bravest people this country has known, young men who were sent into battle unprepared, certainly not knowing what great strategic decisions had been made on their behalf by others. Many died. All that were not killed were captured and spent the entire war in labour camps.

What was remarkable about these men is that there was no personal bitterness. There was simply a sense of profound reflection on what their experience had meant to them as young people, and also a profound concern about the future of the world and the future of Canada.

It is said that our country came of age on the battlefield at Vimy; that it was at that point in our lifetime as a nation that young people fighting realized that they were fighting not just for the empire, not just for some abstraction, but they were fighting for Canada.

It is very hard for us in this generation, who have not had that firsthand, bitter experience of conflict, to fully appreciate the challenge, the danger, the risk and the extraordinary courage that ordinary people had to demonstrate, and did demonstrate, on our behalf.

All of us in the next week will be attending Remembrance Day ceremonies in our constituencies. We will be meeting with veterans and with their families. We'll be sharing moments of cheer, of warm nostalgia and of deep emotion. On behalf of my colleagues, we want to pay tribute to them and perhaps reflect that our best tribute to them is by holding dear the values which they held dear on the battlefield, values of tolerance, of understanding, of civility, of compassion, of courage and of a commitment to our country.

We all are going to have to show some of that commitment in the days ahead, and perhaps there is no more fitting week for us to do so than as we pay tribute to our veterans.

VISITORS

The Speaker (Hon Allan K. McLean): I would like to inform the members of the assembly that we have in the Speaker's gallery today a delegation from the state of Michigan: Senator Michael Bouchard, Senator Mike Rogers and State Representative John Llewellyn. Please join with me in welcoming our guests.

LEGISLATIVE PAGES

The Speaker (Hon Allan K. McLean): On behalf of all the members of the Ontario Legislative Assembly, I would like to take this opportunity to thank the pages for their dedication and hard work over the past six weeks. We have appreciated your assistance.

STATEMENTS BY THE MINISTRY AND RESPONSES

SUPPLEMENTARY ESTIMATES

Hon David Johnson (Chair of the Management Board of Cabinet): Last week I tabled the expenditure

estimates for 1995-96. I am now tabling supplementary estimates for this fiscal year. These supplementary estimates will adjust the estimates to reflect July 21 expenditure reductions and will also support the elimination of a practice of the previous government that artificially reduced the deficit figures reported to the public.

Through the supplementary estimates, we are presenting a clear, upfront picture of our actual expenditures by showing capital spending that the previous government moved off-book.

In 1993-94, the previous government introduced a complicated and confusing system of financing for capital projects in schools, post-secondary institutions, hospitals, municipal water and sewer projects, and for roads and realty. The previous government had partners enter into long-term financing arrangements, loans with 20- to 25-year repayment terms, and agreed to fund the partners' repayment obligations using future government expenditures. By the end of 1994-95, this mechanism had been used to finance more than \$2.4 billion in capital spending.

Our government is committed to providing the public with a clear set of expenditure estimates so that people know what is happening to their tax dollars. Replacing these loans with grants is another step towards meeting that commitment. Further, it is consistent with opinions expressed by the Provincial Auditor and the Public Sector Accounting and Auditing Board guidelines for public sector accounting. The board advised that loan-based capital funding should be treated as grants for accounting purposes.

Converting to grants will provide funding recipients with certainty about what they are receiving and will remove the unnecessary and costly administrative burden imposed on them by loan-based financing.

In keeping with the principles of the Common Sense Revolution, the expenditure and deficit reduction figures that the Minister of Finance reported in his July 21 statement reflected the proper reporting of the government's capital spending. These supplementary estimates bring effect to the formal reporting. The public will no longer need to add these capital payments back to the government's deficit figures to obtain the real deficit picture.

1420

The supplementary estimates will give the government the spending authority to provide this capital funding as grants. I am providing members with a reconciliation between the July statement and the supplementary estimates. I should emphasize that our actions today have no impact on the deficit.

After the supplementary estimates are passed and the conversion to grants has occurred, we will write off the corresponding loans incurred to that date, effectively recognizing them as the expenditures they have been all along.

Over the next few days, we will be notifying recipients that they will be formally released from repaying these loans. We will be informing them of the administrative arrangements we are putting in place to ensure an orderly transition to this more appropriate method of financing.

We will be making arrangements so that recipients do not experience a break in the flow of their capital funds.

I am pleased to bring this message of increased clarity, simplicity and common sense to this House and the public.

ONTARIO HYDRO

Hon Brenda Elliott (Minister of Environment and Energy): A key promise of the Common Sense Revolution was that our government would move quickly to ensure a reliable and affordable electricity system for the people of Ontario.

As a first step, Ontario Hydro's average electricity rates have been frozen for five years. This will help to ensure affordable electricity for business, for industry and for the people of Ontario as a whole. In keeping with the Common Sense Revolution, it would also help to remove barriers to growth and to investment in Ontario.

Today I would like to advise the House of two further initiatives in support of these undertakings: the creation of a special advisory committee on electricity reform and the appointment of a new chair for Ontario Hydro.

This special committee will advise me in the development of reforms to sustain competitive rates and to ensure a reliable, affordable electrical system. The committee will help the government to evaluate options for introducing competition to Ontario's electricity industry.

It will examine options in three areas: structural changes to the industry, regulatory reform to ensure a healthy, competitive environment and the introduction of private equity to the electricity sector.

The Advisory Committee on Competition in Ontario's Electricity System will be chaired by the Honourable Donald S. Macdonald. Mr Macdonald, now in the private sector, has a long and distinguished history of service to the people of Ontario and to Canada. He was first elected to the federal Parliament in 1962 and has served in many portfolios, including Energy, Mines and Resources and Finance.

Other committee members, representing a broad range of interests, will be announced shortly.

This committee will invite the participation of stakeholders and the public through meetings and written submissions. This committee will report back to me by the end of April 1996.

Enhancing Ontario's competitiveness, preserving our financial soundness and protecting our quality of life will be the cornerstones of the committee's deliberations.

The new chair of Ontario Hydro will be William A. Farlinger. As the former chair and chief executive officer of the accounting firm of Ernst and Young, Mr Farlinger brings wide-ranging private sector experience and a business perspective to this position.

Mr Farlinger replaces Maurice Strong. This government thanks Maurice Strong for his leadership of Ontario Hydro over the past three years. Under Mr Strong's direction, this utility is in a much better position today than it was when he assumed the chair.

I look forward to working with the new chair and I look forward to working with the committee to define

Ontario Hydro's future role and to develop a streamlined and restructured electricity industry in Ontario for the next century.

EDUCATION REFORM

Hon John Snobelen (Minister of Education and Training): Today I'm very pleased to share some exciting information with my colleagues about plans to reform our secondary school system. Quality and value are the hallmarks of this reform package, because every student deserves the best-quality education we can provide and every taxpayer deserves the best value for his or her education dollar.

Beginning immediately, we are going to develop a more focused, relevant and meaningful four-year secondary school system. This new system will come into effect for students entering grade 9 in 1997. Rigorous standards, high levels of expectation and better career preparation for all students will drive the new system.

Ontario is the only province in Canada with a five-year secondary school system. All the available information, including research done by the Royal Commission on Learning, tells us there is no added value to this fifth year.

When the four-year program is fully implemented in 2001, savings for taxpayers will amount to some \$350 million annually.

Our current secondary school system provides very clear direction and prepares students very well for university admission. These high standards will continue to apply in the new four-year program.

But only one third of high school students attend university; the remaining two thirds either go on to college, take further training or go directly to work. Today we are taking steps to also focus on the needs of all these other students.

We're going to expand co-op and work experience programs to give students more insight into possible career choices. We're going to develop clear course requirements for those students who choose to go to college or directly to work. We're going to reform guidance and career education programs. We're going to introduce a formal transition-to-work training program with local employers.

The ministry will work with a special external advisory committee to develop the new high school system. This committee will include educators, parents, students and representatives from universities, colleges, businesses and the broader community.

These reforms are long overdue. Everyone in the community, from students and parents to employers, will benefit from a more challenging, focused and relevant high school program. I'm looking forward to working on this important initiative with all of our partners in education. I believe it's a significant step towards ensuring Ontario has the best-educated students in the world.

INVESTMENT FUNDS

Hon William Saunderson (Minister of Economic Development, Trade and Tourism): Government spending has doubled in the last 10 years and the accumulated debt has tripled. Interest payments are costing

the taxpayers of Ontario \$9 billion a year on a debt that is now almost \$100 billion.

If this situation is permitted to continue, we will be facing debt interest payments of \$20 billion a year by the end of this decade. This is a staggering cost and is obviously quite unsustainable. It threatens our economic future.

This government is moving quickly to address the spending crisis left by previous governments. We are determined to restore confidence in Ontario as a place to live, to work and to do business. We intend to get spending under control and reduce the burden of debt. We believe that getting our financial house in order will put this province on the road to prosperity.

Today I am announcing the saving of \$107.2 million for the taxpayers of Ontario—a saving achieved through the cancellation of the economic development fund, five projects under the economic development fund and the cancellation of funding for 32 various projects in other program areas across government. The projects had been under review since the spending freeze announced in the July 21 statement of Minister of Finance Ernie Eves.

The economic development fund will be phased out, and financial assistance to five specific economic development fund projects has been cancelled, saving \$36.5 million of this \$100-million fund. Applications for funds on 32 other projects in various other program areas involving financial assistance from the government have also been cancelled, saving about \$70.7 million.

This government is moving quickly to address the spending crisis left by previous governments.

In addition to freezes and cuts in government spending already announced, all ministries are reviewing their programs to see where more savings can be made and further announcements about programs will be made at a later date.

Economic growth is not created through government assistance. We are not in the business of giving corporate handouts or grants to business. We simply cannot justify using public funds to give one company an advantage over another.

Let me repeat: Government spending is being brought under control and the deficit will be reduced. Only then will confidence be restored in Ontario as a place to live, to work and to do business.

1430

Mr Gerry Phillips (Scarborough-Agincourt): I'd respond to the Chair of Management Board. I almost broke out laughing when he said, "We're giving a clear, upfront picture."

This is the first government in the history of the province that will not have a budget, the fundamental document that people understand in this province. Talk about not having a clear upfront picture—no budget.

I laughed, almost, when you presented your estimates. They weren't your estimates; they were the previous government's estimates. That's what you tabled, not your own estimates.

So in terms of presenting the people of Ontario with a clear, upfront picture of the finances of this province,

your government has been a failure. For the first time in the history of the province, no budget; estimates from a previous government, not your own estimates. We're not getting a clear, upfront picture; we're getting nothing but fog out of this government. Until we get a clear financial statement from this government, that's all we'll have from them.

EDUCATION REFORM

Mrs Lyn McLeod (Leader of the Opposition): Once more we have a government announcing the end of grade 13, and I've been around long enough to remember when a former Conservative Minister of Education, Dr Bette Stephenson, did it first.

But since we no longer have a graded system but a credit system, I'm really not sure what ending grade 13 means in today's context. Does it mean that students will have to complete all their credits in four years or they're out? I certainly hope not.

I suggest that announcing the end of grade 13 sounds like doing something when it is not. What is needed is change to the credit system itself, the kinds of changes that the royal commission recommended, none of which are here in the minister's statement today.

I don't know where the minister is going to get his \$350-million annual savings, but I can tell you, Minister, that if you want to cut costs by fixing the credit system, you limit the total number of credits a student can take so that students don't return to do more and more credits in order to improve their marks. You don't restrict the amount of time students can take to get their credits, because some will need longer than others for many reasons, and if you want students for some reason to finish their program in four years, to increase their chances of completing their credits in four years, then what you do is you start with credits earlier, in grade 8, which the royal commission has recommended.

If what you are telling us today is that you are ending the Ontario academic credit, I say that is a shame, because those credits can be completed in four years, they set a high standard, and it is a shame to abandon a high standard in order to make an announcement today. You cannot consider this to be a statement about standards.

I suggest to you that instead of making statements you get out and find out what students are doing in our secondary schools and why they are doing it and have a look at the real world they're in: a real world, incidentally, in which youth unemployment is running at about 30%, so that all of your initiatives on school to work are going to run into that stark reality.

ONTARIO HYDRO

Mr Sean G. Conway (Renfrew North): The Minister of Energy has made a two-part announcement today, and let me start by commenting on the second part of the announcement.

Maurice Strong is no more. He has left the chairmanship of Ontario Hydro. What is one to say except that some years ago he arrived with an imperial flush, and today he leaves with one lonely sentence in a ministerial announcement. *Sic transit gloria*. Listen, Stephen Lewis got to the United Nations, not once but twice, so Maurice, Maurice, can your call be far behind?

Mr Farlinger is appointed as the new chair of Ontario Hydro. He is a very distinguished and eminent Canadian living in Ontario with, as the minister's statement makes plain, blue ribbon connections to the private sector and with, as we all know, impeccable connections to the new government, and those connections with the new government cause me no concern, because that is in the sacred tradition of Ontario Hydro and government of Ontario relations.

I just want to make the point that Mr Farlinger, as the new chair, is on record just a few weeks ago indicating what his views are about Ontario Hydro, and reading quickly from a report that he penned just about 10 weeks ago, he believes, he says, that there ought to be a merger between Ontario Hydro and the Ontario municipal electrical utilities and that there ought to be a privatization of all generation into one company, among other observations of the Farlinger report. We are in for some very interesting times and I look to the advisory committee for some interesting advice.

INVESTMENT FUNDS

Mr Monte Kwinter (Wilson Heights): I read with amazement the statement the minister gave in which he says, "Economic growth is not created through government assistance." I assume that is a drafting error, because if that is true, what do you do and what does your ministry do? I would suggest to the Chairman of Management Board that if there can be no economic growth through the government, you get rid of that ministry and save yourself a lot of money.

ONTARIO HYDRO

Mr Bob Rae (York South): I want to just indicate that I find it interesting, in statements, what isn't said as well as what is said.

In the case of the announcement made by the Minister of Environment and Energy, we're not told, for example, whether Mr Farlinger's appointment is a full-time or part-time appointment; we're not told whether he is the chair and CEO or precisely what his status is. Nor is it mentioned that Mr Farlinger, whom I'm sure many of us know in his role as the chairman and chief executive of Ernst and Young, had everything to do with a private report to Ontario Hydro on the question of privatization, everything to do with it.

So I would have thought that the minister would have said, "We've appointed as the chair of Ontario Hydro somebody who has a clearer ideological agenda with respect to the future of this public organization than anyone else."

Hon Charles Harnick (Attorney General, minister responsible for native affairs): This is from the man who appointed Marc Eliesen.

Mr Rae: Mr Speaker, the Attorney General is out of control in his chair, but we understand the stresses and strains of having to deal with the law society, so I can understand his anxiety.

EDUCATION REFORM

Mr Bob Rae (York South): When it comes to the announcement made by the Minister of Education, I would have thought that a graceful announcement such as

the one made by the minister might have made it clear, for example, that every single one of these reforms was recommended by the royal commission and already had been approved by the former Minister of Education and Training.

The only question which the minister fudged was the issue of the \$350 million saved by the cancellation of grade 13. He knows, we all know, that 40% of that money comes from the province—a little more than 40%—but the majority comes from the property taxpayers, so it's a saving that won't be coming out of our hides; it's a saving that'll be coming out of the overall expenditure of the taxpayers of the province.

So we have to—

Mr David Turnbull (York Mills): There's only one taxpayer.

Mr Rae: We'll see—

Interjections.

The Speaker (Hon Allan K. McLean): Order.

Mr Rae: There are a number of members opposite who are holding up a single finger in my direction. I want to assure you that it was the index finger and that it was intended to show the ideological truth which we all know, which is that there is only one taxpayer.

Interjections.

The Speaker: Order.

Ms Frances Lankin (Beaches-Woodbine): How many Metro members were just standing?

Mr Rae: I look forward to the same sense of wisdom from the Metro members and from the Ottawa members and from other members who realize that they are going to pay it on the neck for the kinds of cuts that are now being put forward by the Tory government.

1440

INVESTMENT FUNDS

Mr Bob Rae (York South): Finally, with respect to the announcement made by the Minister of Economic Development, Trade and Tourism: We're used to these bromides from the minister. I always find that people are much more enthusiastic about cuts in general than they are about cuts in particular. That's why I would have thought that a minister who wanted to be completely candid and open with the House would tell us in particular which grants are being cut, what areas they're being cut in, what jobs are being affected and which projects in fact are being cancelled.

This was a government which was elected to bring in jobs. Instead of jobs, jobs, jobs, we see cuts, cuts, cuts, rhetoric, rhetoric, rhetoric, ideology, ideology, ideology. Let's get back to the jobs agenda; it's the agenda which has been lost by this government.

ORAL QUESTIONS

INVESTMENT FUNDS

Mr Monte Kwinter (Wilson Heights): I have a question for the Minister of Economic Development, Trade and Tourism. It's particularly pertinent given his announcement today, and it was interesting in his announcement, given his background, that there was never once the mention of the word "investment."

The mandate of Innovation Ontario Corp is not to provide grants, not to provide handouts, but to assist export-oriented, technology-based firms to grow and expand by providing financial assistance via patient capital investments, and I underline the word "investments."

In May 1995, the board of directors of IOC approved an investment of \$404,000 in the shares of Secutron Inc, an Ontario corporation with manufacturing facilities in Picton, Ontario. The buyout provisions of the investment provided for a 25% profit for IOC, and the investment was needed to upgrade its technology and to be more globally competitive.

The Speaker (Hon Allan K. McLean): Would you put your question, please.

Mr Kwinter: I've got to give the background because it's very important. The company is engaged in the design, development and manufacture of high-tech products for life safety and protection of property. The board of governors of the directors of IOC approved the investment and conveyed this information verbally to the company. They were told that documentation would be forthcoming and that it was a rubber stamp. On the basis of these assurances, the company went out, obligated itself and spent over \$100,000 in deposits—

The Speaker: Put your question.

Mr Kwinter: —and found themselves in a position where they had also obligated themselves to an additional \$300,000. Minister, you then informed them that you were reneging on that commitment. We are not talking about—

The Speaker: Would the member take his seat, please. I believe the question has been asked. Minister.

Hon William Saunderson (Minister of Economic Development, Trade and Tourism): To the member for Wilson Heights: I have to say to him that more than ever, at a time when we are reviewing the delivery and cost implication of virtually every program and operation of this government, it is unjustifiable to hand out millions of dollars of taxpayers' money to companies. Quite frankly, I'm shocked if the member opposite is suggesting otherwise.

Mr Kwinter: Minister, if you're shocked, you can imagine how I feel. It has nothing to do with what you are talking about; it has to do with the integrity of this government, and the reputation.

A commitment was made. A company went out and made commitments on behalf of that commitment. There are 35 jobs at stake. The company has been in business for 22 years, and you've put them in severe jeopardy. Not only that; in a meeting that they had with you, you had the temerity and the gall, and I quote, to tell them, "If I were you, I'd move to the United States."

Tell me, is your role to advise companies in this province to leave their place and go to the United States? Is that what you see your role as?

Hon Mr Saunderson: I would first of all like to say that the member for Wilson Heights is misinformed about geography. The second thing I'd like to say is that the companies in our announcement today are good companies. I welcome their continued investment in Ontario.

However, thousands of businesses across the province survive every day without government handouts. This government cannot justify raising their taxes and borrowing on the future of Ontario's children in order to give money to a select few companies.

Mr Kwinter: I have in my hand a letter from the company, attested by its president and its director of operations, saying that in a meeting with you, and they quote, "If I were you, I would move to the United States." Now you stand up and say I have a mistake in geography. I have no idea what that means. I don't know exactly what you're referring to, but the question that I'm asking you is that you were also quoted as saying, "If it isn't in writing, we're not going to honour it."

I can tell you, the only people who require things in writing are people who are dealing with people they can't trust, and one of the major, major tenets of business is that a man's word is his bond and you can take it to the bank. This company has been put in jeopardy by commitments that were made by a duly authorized board of your government. They went out, put themselves in severe jeopardy, and your response is to repeat the mantra that has nothing to do with the problem.

Could you please answer. What are you going to do to redress the injustice that's been done to this company, the financial burden that it's incurred and the hardship that it's enduring because you have reneged on a commitment?

Hon Mr Saunderson: The Minister of Finance, in his July 21 statement, indicated that all programs offering financial assistance to businesses had been frozen in order to reduce government spending. In light of this freeze, and considering that agreements with the company had not properly been signed, we made our decision.

JUSTICE ISSUES

Mr David Ramsay (Timiskaming): To the Solicitor General and Minister of Correctional Services, first a story about a woman convicted of driving while impaired for the third time: Contrary to what the Attorney General said yesterday, she has been sentenced to 60 days that can be served intermittently. She's been checking in on a Friday afternoon and one minute later has been signed out. For that you give her a credit of four days plus two days on top of that for good behaviour. In 10 weekends you can knock off a 60-day sentence here in Ontario.

But for some reason she has received a special dispensation to check into the Vanier women's prison, which the minister knows is a treatment centre, instead of Metro West. The last few weekends she has shown up with alcohol on her breath, but because they can't prove that she is drunk she is released anyway. But she was so drunk a few weeks ago, she turned up with a twenty-sixer of vodka on her person and therefore was admitted. She was never charged for that, but she spent the weekend on the treatment wing with the others who were trying to cope with their alcohol abuse problem, but stinking with booze.

Theoretically, this woman could have been in an accident and killed somebody on the roads of Ontario while she was supposed to be in one of our jails.

Minister, this is a mockery of justice in Ontario. In Ontario, unlike California, three strikes and you're out means you're right out of jail. What sort of message does this send to the drivers of Ontario?

Hon Bob Runciman (Solicitor General and Minister of Correctional Services): I can't speak to the specific case. If the member wants to provide me with the details, I will try to get back to him as quickly as possible. I think the messages that were announced last week by the Minister of Transportation, the Attorney General and myself, in terms of automatic licence suspension, increased supervision over trucks, increased patrols of the OPP in the GTA and expanded into southwestern Ontario and eastern Ontario regions next year, send out a very positive message in respect to how this government feels about road safety and impaired drivers.

Mr Ramsay: Minister, the story that I've just related is the reality of Ontario, and I ask you to check into that.

Minister, you have a very interesting ministry; there's so much going on, I don't know where to start. At 11 o'clock this morning, you had an incident in Metro East where three correctional officers were assaulted by an inmate because of overcrowding, because you're ordering them to sleep on the floors there, and this person doesn't want to do it.

Anyway, you're still looking at maybe jail closures. On any of the lists I've seen or that anybody has circulated on some of those targeted for closure, nowhere does the Brockville Jail appear. This jail, Mr Minister, appears to be in your riding and is one of the oldest in the province.

1450 I have a list of the operating costs of all the jails in eastern Ontario, and not only is your jail one of the oldest, but also it has one of the highest operating costs of all but one of those being considered for closure.

Minister, is your jail, the one with the highest per diem costs in eastern Ontario, being considered for closure, or will it be a Liberal member, such as Mr Conway here or Mr Cleary or Mr Lalonde, who's going to have to suffer the jail closure in their riding?

Hon Mr Runciman: As usual, the member is incorrect. We had a meeting today with a number of MPPs who are going to be impacted. I was one of them in terms of older jails, certainly as part of the whole package of older jails that are being looked at by the ministry. Later on today we're going to be meeting with the honourable member and others who will be impacted as well.

Mr James J. Bradley (St Catharines): I predict the Brockville Jail doesn't close.

Hon Mr Runciman: My jail has not been excluded from consideration in respect to these decisions that may or may not be taken in the next few weeks.

Mr Ramsay: Minister, we'll be very interested to see, after you consult with yourself about the closure of the Brockville Jail, if the member for St Catharines' prediction is right that it remains open.

Two weeks ago you announced some appointments to the parole board. I must say I was very impressed with many of those appointments and the credentials of some

of those people, and I said so to the minister here in this House.

I'm a little embarrassed at my rush to judgement, because as I started to examine some of these appointments, it appears that patronage is alive and well in the Harris government.

Ralph DeGroot, for example, from Peterborough: He's very interesting. Yes, he has some police experience, but his main claim to fame is being ex-Tory MP Bill Domm's most active supporter in Peterborough and of course leading the campaign for capital punishment there.

But the most interesting appointment is the minister's own campaign manager.

Interjections: No.

Mr Ramsay: Yes, yes. I have to give the minister an A for blatant patronage for sure, because Jo-ann Best, unlike Mr DeGroot, has no education or work experience in any aspect of the criminal justice system.

Minister, in one of the Tory election statements, you said you would establish minimum standards of experience and expertise for members of the parole board. This is quite a standard you've set. Can you assure the people of Ontario that your campaign manager, without justice experience, will not make a decision that will endanger the lives of Ontarians?

Hon Mr Runciman: You know, the gall of members of the Liberal Party never ceases to amaze me. This is the party that appointed Patti Starr, who ended up in jail.

All I can say in respect to the appointee he's questioned is that this lady has over 25 years of community service, she's intelligent, experienced, tough, fair. I don't believe she should be disqualified because she was a successful campaign manager.

The Speaker (Hon Allan K. McLean): New question, the leader of the third party.

Mr Bob Rae (York South): If the Solicitor General is so proud of appointing his own campaign manager as a member of the parole board, I wonder if he can tell us why it is that in the announcement wherein he pointed out the qualifications of police chiefs and various other people he had appointed, he would not have highlighted the appointment and qualifications of Ms Best.

Hon Mr Runciman: We mentioned the appointees who would be best known to the public in terms of reputations across the province. I want to say, in terms of my announcement—

Interjections.

Hon Mr Runciman: I assume you want to hear this, Mr Speaker. My announcement said, "We believe that parole board members must be qualified—by their background, their work experience or their contributions to the community—as well as by the training they receive" as parole board members.

I could send the leader of the third party a pie chart which shows you the breakdown of the membership on the parole board, and 24% of the board membership are people with business and community experience. We're trying to get a balanced board—justice officials, business people and social workers—completely unlike what the

NDP had in place, with no one representing the justice area at all.

Mr Rae: The question for me is that in announcing the new appointments, the minister told taxpayers that the people were appointed with a background in policing and criminology and forensic psychiatry, in areas of expertise that would assist in deciding who should and shouldn't get parole.

If the minister has waved a piece of pie around, I'm happy to have a look at the pie chart; I'd be delighted to see the pie chart.

But I think the issue is why, in making the announcement he made last week in the House—just as ministers have been making announcements today and we'll now have to go back and look again at every single announcement that's made as to what is not said—why would the minister not have said, "Among the people whose appointments I'm proudest of is my own campaign manager"? Why wouldn't he have said that?

Hon Mr Runciman: We announced, I believe, 34 appointments and we highlighted five or six or seven in the justice area.

Mr David S. Cooke (Windsor-Riverside): I can see why you left this one out.

Hon Mr Runciman: I'm not about to make any apologies for the appointments we made. These are outstanding people.

The leader of the third party, who's asking this question, has no reason to feel proud about the appointees his government made to the parole board of Ontario. He simply has to recall the Wein report. Why was the Wein report instigated? Because of decisions made by parole board appointees appointed by the NDP. I don't want to get into details here, but certainly the leader of the third party has no credibility whatsoever when dealing with appointees to the parole board—none whatsoever.

Mr Rae: I'm delighted to see that the old Bob Runciman is back. We were starting to wonder about the statesman on the other side, and now we realize that Halloween is over and the mask is off.

The question I have to ask the minister is once again the same question: Why, in making the announcement, would he not have had the courtesy and the straightforwardness we always associate with his name to be upfront and say, "The appointment I'm proudest of is not some former chief of police, it's not some professor of forensic psychiatry, but it's my own campaign manager in Leeds"? Why wouldn't he have just said that? I haven't heard an answer to that question.

Hon Mr Runciman: I am proud of the appointment. This is a woman who has over 25 years of community service, voted as the citizen of the year in her community. This question is coming from the man who appointed his own campaign manager as secretary of cabinet. He polluted the public service of Ontario with a political appointee, and he has the gall to get up here today and ask me a question like that. Unbelievable.

1500

MINISTER'S COMMENTS

Mr Bob Rae (York South): In the absence of the Premier, I direct my question to the Deputy Premier.

Yesterday, I asked the minister responsible for women's issues whether or not she was willing to have the question of her remarks at a meeting, attended by a number of women in London, made the subject of a committee discussion so that committee members themselves could assess the credibility of the minister's comments and the credibility of the statements made by a number of women who were present.

In response to my question, the minister said no, and outside she said, "I don't think the taxpayers should be spending money on irrelevant situations where you have no proof except one person and a few women." Those remarks are in quotation marks. She said it as well in the Legislature.

If a person from the public, meeting with the minister, says she clearly heard the minister say that if she continued to remain in opposition to the government's policies, her organization could be audited and funding for her organization could be eliminated, would you not agree with me, Deputy Premier, that that remark could be perceived by the person hearing it as intimidation?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): I'm sure that anybody with any experience in this House knows of times we have been involved in meetings and there are many different interpretations different people put on words said during meetings. If we referred every single meeting that every single member or cabinet minister had with somebody who disagreed with his or her interpretation of what was said, it would be a huge waste of the taxpayers' money.

Mr Rae: This is an issue about which the Deputy Premier in a previous role, in which I remember him very well, I think would have recognized the difference between a difference of opinion, between somebody taking issue with something somebody says, which is common in politics, and someone coming away from a meeting feeling that the person in question, a minister, has intimidated them and their organization and has in a sense indicated that if someone continues to remain in opposition to the government, their very position will be threatened.

This is not simply a difference of opinion between a couple of people. We now have not only the woman who wrote the letter, Ms Julie Lee, who's the executive director of the London Battered Women's Advocacy Centre, we also have Mary Ellen Mellanson and Connie Boles of London Second Stage Housing who agree completely with the account Ms Lee has given in the letter she sent to us and which I sent over to the minister the other day.

Just to remind the minister, what she said is, "Within the context of this government, you need to understand that groups or agencies that are seen not to be working with this government, providing an oppositional voice, will be audited and their funding eliminated."

Those are very threatening words. Either the minister said them or she didn't. She's told the House that she didn't; other people insist that she did. Why not have a committee of this House discuss whether or not the minister abused her power in this way?

Hon Mr Eves: The minister has stood in her place in this House, said that she has met with many groups besides this one, that she did not threaten or intimidate anyone and that she continues to fund the London Battered Women's Advocacy Centre.

Mr Rae: If it were just one person, you'd say fine, one person. It's several people who were at a meeting, all women, coming forward saying: "This is what we heard. This is what we believe the minister said. This is what we heard the minister to say: that if we keep this up, we will be audited and our funding will be eliminated." Those are words of intimidation. Those are words which lend themselves to an abuse of power.

I would have thought that it's in the interests of the minister. If the minister is very clear that she didn't say it and the minister is absolutely emphatic that nothing like this happened, what is the problem with sending this to a committee so the committee can hear from the women who were there, as well as from the minister, to try to clear the matter up? What have you people got to hide over there?

Hon Mr Eves: The minister has answered the question in the House, as the honourable member knows. She has said that she has not made these remarks.

As I said at the outset, in answer to his very first question, if we had a legislative committee investigate every time somebody in a meeting with a minister said they said something, it would be a gigantic waste of taxpayers' money and committee time.

CHILD CARE

Mrs Sandra Pupatello (Windsor-Sandwich): My question is for the Minister of Community and Social Services. Minister Tsubouchi, I'd like you to confirm or refute today's Toronto Star article outlining that you are considering the implementation of a voucher system for child care in Ontario.

Hon David H. Tsubouchi (Minister of Community and Social Services): Very simply, the particular article refers to some sort of report. Clearly, no report has ever been delivered to me.

Mrs Pupatello: The minister clearly campaigned on being supportive of child care in Ontario. During the campaign, you touted an earning and learning program. Since taking office, however, you've eliminated 14,000 day care spaces and you've threatened the elimination of the wage-enhancement grant for child care workers. There are a number of things you're doing to threaten child care across Ontario. In fact, two weeks ago the minister received a letter from Minister Axworthy, federally, encouraging a meeting to look at a partnership for child care because we all recognize the need for it.

You have touted the fact that you're in support of child care. Clearly, there is something going on in your ministry that's outlining a voucher program that is outrageous and threatens the whole child care industry. It seems to me that you're not aware of it or you're not prepared to stand up today and say you are supporting child care and will back it with some kind of initiative. Will the minister kindly give me an answer other than the \$1,200-a-day consultant answer; that's not the one we're looking for.

Hon Mr Tsubouchi: First of all, this government is in favour, has spoken for clearly in terms of good quality and affordable care for our children. We do that by providing choice to the communities. There are a number of issues there. I'm going to deal with the main issue as opposed to the scattered issues in that statement.

Frankly, we have a two-phase approach. We've already completed the first phase. What it did was we stopped the conversion of child care spaces, which did not create one single child care space in the province but had a huge cost to it, this program. In fact, by March 1997 this initiative will have saved \$20 million.

Secondly, we are welcoming the private sector back in the child care area. We are levelling the playing field, and we are increasing parental choice.

Interjections.

Hon Mr Tsubouchi: We have a second phase here, if you wouldn't mind me just commenting on it for a second. The ministry is in the early stages right now of doing an overall review of the child care area, because obviously the system doesn't work and we have a commitment to the child care area. This review is going to be done under the able leadership of my parliamentary assistant, Janet Ecker.

The Speaker (Hon Allan K. McLean): New question; the member for Windsor-Riverside.

Mr David S. Cooke (Windsor-Riverside): I have a question to the same minister. Mr Minister, I know you don't always read documents before you sign them, but this morning I am sure that as part of your regular routine you would have taken a look at the press clippings and you would have seen a reference in the Toronto Star article to a cabinet submission that's being prepared, a document within your own ministry, with regard to converting the system we currently have of direct funding of child care centres in this province, a system that has been in place for over half a century.

I am sure you would then ask your officials where that document is and what the status of it was and that you would review that document. Can you confirm that there is a document that exists about your system for child care in your ministry?

Hon Mr Tsubouchi: I've answered the question already, but if you want some more clarification in terms of what we are doing, we are levelling the playing field. It's very important for us to provide parental choice to the community. Frankly, the system that was working before, you know, it's all going to come out under this overall child care review that we're doing. We will see the inconsistencies of the prior government. We're going to go for a system that really works for the taxpayer in the province of Ontario.

Mr Cooke: Obviously this minister has a philosophy: "If I don't ask anything, I don't have to read anything, and then it can go on my signing machine and I don't need to know anything."

This is a very important issue. For over half a century governments have provided regulation and direct subsidy for child care centres to improve the quality of child care in this province. If we're moving to a voucher system in

this province, it will be the most significant, radical change in child care in this century. I think we're entitled and the people of this province are entitled to know: Is this an item that is under serious consideration by your government, yes or no?

Hon Mr Tsubouchi: In terms of the overall child care review which we're doing, it is very important for us to look at all aspects and all options available. It's much like any other type of program that we look at. We have to look and see what works and what doesn't work. Obviously the old philosophy didn't work. We're trying to find solutions that do work.

1510

INTERPROVINCIAL TRADE

Mr Ted Chudleigh (Halton North): To the Minister of Economic Development, Trade and Tourism: As you know, first ministers signed an agreement on internal trade in July 1994. In that agreement the provinces and territories agreed to negotiate provisions to the agreement in order to cover broader public sector procurement. My question: What is the government's approach to these very important negotiations?

Hon William Saunderson (Minister of Economic Development, Trade and Tourism): I'd like to say that this government is committed to removing barriers to trade among the provinces and improving market opportunities for Ontario businesses. The broader public sector across Canada represents a very significant market, and we see these negotiations as a way to create new opportunities for business.

At the same time, we are concerned about reducing unnecessary regulations and rules. We want to ensure that broader public sector procurement can be done efficiently and effectively. A flexible procurement agreement that opens markets without adding cost would be the best approach and is the approach that this government is taking.

Mr Chudleigh: Thank you very much, Mr Minister. There's a strong desire from stakeholders in my riding and across the province that their views are understood and represented in these negotiations. Can you assure these concerned stakeholders that their views are being heard and incorporated into these discussions?

Hon Mr Saunderson: I have met with leaders from several broad public sector organizations back in September and I heard a strong, unified message from them that they want an agreement that is flexible, to allow for innovations in purchasing. They also do not want to have rules imposed on them that would create additional administrative costs and burdens.

I can assure the member that we have been listening to the broader public sector stakeholders during these negotiations and have invited representatives of the broader public sector to attend all the negotiations as observers. I can assure you that the interest of Ontario's broader public sector will be brought to the negotiation table and that this government will work with all of its partners towards the dismantling of interprovincial trade barriers.

RURAL POLICING

Mr Peter North (Elgin): It's certainly a pleasure for me to stand up today, indeed to be recognized in this

House to ask a question of this government. My question is to the Solicitor General.

Minister, my question today deals with the issue of rural policing. You and I sat on this side of the Legislature not so long ago and had a great deal to say about the shortcomings of rural policing. I'm sure any member of this Legislature from rural Ontario could tell the same stories that you and I have discussed many, many times. Your rural round table discussions, in opposition, highlighted the truly troubling situation we face in terms of lack of policing and policing at night, longer response times and the dwindling numbers of officers.

The throne speech mentions victims of crimes, which we support, but not policing, especially not rural policing. Your campaign spoke directly to crimes and commitments to resolving such issues as these. I believe people put stock in what you said over here. Now that you are over there, what happens next, and how long before your words on this side become your actions on that side?

Hon Bob Runciman (Solicitor General and Minister of Correctional Services): I appreciate the question from the member and I concur with what he said with respect to the concerns that my party expressed on that side of the aisle. We've only been in office four months, so we can't solve all of the problems, and I'm sure the member appreciates that. But we are moving in this area.

Certainly I represent a riding with a significant rural component and I hear many of the same concerns that I'm sure your constituents are passing on to you. We are taking a look at the whole question of equitable funding, which governments of various political stripes have declined to look at over the past number of years.

We have situations across the province where some areas are paying for their policing, others are not paying for their policing. We have to bring fairness back to that system, and when we can do that, I think we're going to be in a position to put more officers on the front lines and address the concerns of rural Ontario.

Mr North: I understand the issue of dollars that you're speaking of, and when I spoke to this issue before I didn't want to ask for dollars with no idea where they were coming from.

At that time I saw revenues from photo-radar as an excellent opportunity for reinvesting in rural policing. Those revenues have now disappeared with the cancellation of photo-radar. However, the policing problem in rural Ontario still remains, so I ask you this: Can you tell me what solutions and answers you had for the obvious costs greater rural policing would incur and where these would come from? And since you had such a compulsion to hold round table discussions in opposition, can you tell me when the next round table discussion on rural policing will be held in Elgin county?

Hon Mr Runciman: There are a number of initiatives under way. The OPP reorganization—some of those announcements were made yesterday—what that will accomplish by itself will be placing about 350 more officers out on to the front lines as a result of the reorganization of the OPP. We're looking at a whole range of areas.

I hope to be making an announcement, perhaps in conjunction with the Attorney General, within the next few weeks with respect to the sources of additional funding which can be directed into the law-and-order justice areas to assist us in doing the things that you're concerned about, I'm concerned about and I believe all members of this Legislature are concerned about.

AUTOMOBILE INSURANCE

Mr Bruce Crozier (Essex South): My question is to the Minister of Finance. We know, and I think we all agree, that the current auto legislation under Bill 164 is costly and that it's rampant with fraud. We know the average increases over the past few years have been 12% and we know that some people are experiencing increases of up to 25% a year.

We've seen insurance fraud cases that may amount to \$10 million, and we also know that on January 1, 1996, just a couple of months from now, the provisions of Bill 164, known as the loss-of-earnings capacity, go into effect. This will effectively lock in some substantial costs for both the industries and consumers.

Yesterday in this House the minister said that his government had been planning to send the issue out to an all-party committee during the winter break. After giving his commitment some reflective thought I would like to know, is it the minister's intention to continue with this plan?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): The honourable member knows that the provision he's speaking of is part of the legislation itself in Bill 164 and would not be able to be prevented or repealed other than by new legislation.

I would presume that the honourable member wants us to have a comprehensive approach to the auto insurance plan in the province of Ontario and we look forward to working with all members of the House in committee throughout the break so that we can come up with a meaningful comprehensive review of auto insurance in the province of Ontario, and as he knows, we're committed to doing that.

Mr Crozier: I've always wanted comprehensive reviews, but let's just look back a bit. On February 9 of this year, at a meeting of the Toronto insurance brokers, your leader, now the Premier, said that if elected his government would scrap the legislation.

The Conservative critic at that time and I attended a meeting of insurance people in the city of Hamilton and he also indicated that. The minister's own PA, as a matter of fact, has met with, in your own words, "hundreds of groups." The industry has been consulted and they've developed a plan, a plan that appears to have consensus with the Premier, with the now Attorney General, with the PA and with myself. I've consulted with thousands of people who simply want lower insurance premiums.

1520

In short, Mr Minister, I think this has been well consulted over the last year. Every single day that you delay, it costs the insured of Ontario millions of dollars. Will you introduce legislation to amend or rescind,

whatever it is you have to do, Bill 164, refer it to committee for consideration and pass fair legislation for Ontario drivers by the end of this current session? Will you do that?

Hon Mr Eves: The honourable member knows full well, if he's been in contact with the industry, that it is not possible to develop a full, comprehensive piece of legislation and have public hearings on it and have a consultative process and pass it through this House before the end of the December. He knows that. It's nice that maybe four people are satisfied, but I think that maybe more than four people will have to be satisfied with respect to any proposed plan, with all due respect to you four individuals.

I have talked to the parliamentary assistant about this matter at some length and I've talked to officials in the ministry. They are working on a comprehensive piece of legislation to replace Bill 164, but we do not want to make the same mistake, quite frankly, that the previous two governments made by rushing into this with some stopgap piece of legislation that is not going to be comprehensive in its outlook.

INVESTMENT FUNDS

Mr Bob Rae (York South): A question for the Minister of Economic Development, Trade and Tourism: The minister, in his announcement, didn't indicate the severity of the cuts, not simply to business but to a number of projects which are industrial research: the Ottawa Heart Institute to develop the commercial potential for artificial heart technology; work with a number of companies that are going to locate elsewhere unless they were seen to be competitive in terms of our granting structures on research; and all the projects under the Ontario network infrastructure program, which are not assistance to business in the sense of a handout but a necessary investment in infrastructure.

I wonder if the minister, as he passes through his briefing notes, can tell us how many thousands of jobs are going to be lost as a result of these cuts. Can the minister tell us that? It must be somewhere in his notes.

Hon William Saunderson (Minister of Economic Development, Trade and Tourism): May I tell the leader of the third party that jobs will not be lost, they're going to be gained by what we're doing.

We have inherited a spending crisis, and I can tell you that when we have completed doing what we intend to do in our first term of office—our first term of office, I stress that—we will have created 725,000 new jobs because we will have our fiscal house in order. He knows what we said in the Common Sense Revolution, how that will be put in order. It will be done.

Mr Rae: I don't think the minister knows the first thing he's talking about. I'll be charitable to him. This money leverages other money, it leverages funding from industry, it leverages money in terms of research. These are partnerships.

I was at a meeting yesterday with the Minister of Education and Training; he was praising partnerships. Every single one of these investments by government is an investment which promotes additional investment by

the private sector. These are all partnerships which are positive: positive for research, positive for development, positive for technology, positive for access to jobs and access to good things.

So when the minister gives his ideological mantra over and over again, perhaps he can tell us, somewhere in those briefing notes—we all know on this side because we've seen briefing notes, the Liberal Party has seen briefing notes. Come clean and tell us how many thousands of jobs are going to be cancelled as a result of what you've brought in today, how many thousands of jobs are going to be lost.

Hon Mr Saunderson: To the leader of the third party, I would like to say that we are intending and we are working with every sector of the economy. We have met with them since we took office and we have been told by them that what they want is a good economic environment in which to operate their businesses, and that is what we're going to give them.

I'm not reading from any book and I'm not going to. It's not a hard answer to give. It's a very simple answer that we are creating a proper environment. I have said earlier that the 725,000 new jobs will be created when we are finished after our first term.

The Speaker (Hon Allan K. McLean): New question, the member for Kitchener.

Interjections.

WORKERS' COMPENSATION BOARD

Mr Wayne Wettlaufer (Kitchener): My question is for the Minister of Labour, if these people over here ever calm down.

The Speaker (Hon Allan K. McLean): Order.

Mr Wettlaufer: Minister, yesterday you introduced a bill entitled the Workers' Compensation and Occupational Health and Safety Amendment Act. Would you tell me, please, what are the objectives of the reform measures contained in this bill and why are these steps being taken at this time?

Hon Elizabeth Witmer (Minister of Labour): Yesterday, when we introduced the bill into the House, the reason for the introduction is the fact that in 10 years the unfunded liability of the Workers' Compensation Board has increased from \$2.7 billion to a staggering \$11.4 billion. Unfortunately, this unfunded liability, which is the largest of its size in all of Canada, has put the future of the benefits for injured workers at grave risk.

What we are endeavouring to do is to deal with the issue of the unfunded liability. Our ultimate objective will be to eliminate it by the year 2014. However, in order to do that, we need to take a look at the governance structure.

Yesterday we put in place and announced that there would be a new multistakeholder board, because unfortunately the other board was not able to deal with the policy issues and the financial issues. It was totally paralysed. So we need a new management structure.

We are also introducing value-for-money audits, where we can look at specific programs and determine if they are being offered in an efficient and an effective manner.

We are also going to provide, for the first time, special provisions in the act to deal with fraud, which presently amounts to approximately \$150 million per year.

Mr Wettlaufer: I thank the minister for that very informative reply. Minister, the issue of fraud in the workers' compensation system is of concern to all people in Ontario. What steps are being taken to improve the WCB's ability to effectively deal with fraud?

Hon Mrs Witmer: Prior to the introduction of the bill yesterday, we were only able to deal with fraud under the Criminal Code. As a result of the provisions that were introduced yesterday, we will be able to deal with them through the provincial court system. We believe there will be greater access and there will be greater possibility to actually follow through and have convictions.

As well, what we did yesterday was to ensure that those individuals who were guilty of fraud could be fined \$25,000. Also, employers could be fined \$100,000.

The other thing, up until this time there was no provision in the act that required employers to register with the WCB and as a result we've had a tremendous amount of revenue leakage, money that we simply didn't get. We have now put a requirement into the act that will make it mandatory for a new employer to register with the board within 10 days. If they do not do so, they obviously would be found guilty of fraud.

FINANCIAL STATEMENT

Mr Gerry Phillips (Scarborough-Agincourt): My question is to the Minister of Finance. As he knows, we're awaiting what I think is the most important document of the government, and that's the budget. You call it a fiscal statement. We, as you know, have been promised a comprehensive and detailed fiscal report. It was supposed to be in October but was delayed till November, and we understand that, because of the referendum. But I think it's fair to say that Ontario is eagerly awaiting this document, all of Ontario, and certainly the credit rating agencies are looking forward to this document.

You've indicated previously that you would, I think the term you used was, "give us all kinds of advance notice" of when you will be presenting this. I think those were your words. The question is, can you now give us the date that you will be presenting it and can you give us the assurances we need that it will in fact be fully detailed, outlining your revenue, your expenditures and your borrowing requirements and that we in the opposition and the media will have the normal budget lockup provisions; in other words, the pre-presentation detailed briefings that we need?

1530

Mr James J. Bradley (St Catharines): Good question.

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): That is a good question, and I say to the member for Scarborough-Agincourt that I am pleased that I can positively respond to his question that, yes, we will be providing those types of detail in the statement and we will be going through the normal lockup procedure. I can also indicate to him, although I cannot give him the exact date because I don't

know it myself, that it will be in the last half of the month of November, which is what I've been saying for several weeks now.

Mr Phillips: I appreciate that, and I say again that it's a document that we regard, frankly, as long overdue. You well know that we would have strongly urged you to present a normal budget; the first time in the history of the province we don't see it. You've also indicated that it is your intention to provide the Legislature with time for debate on your fiscal statement, time for debate here and I assume at committee. Can you once again assure the House that in your planning, I guess in your role really as House leader, you have scheduled time for the normal debate on this fiscal statement here in the Legislature?

Hon Mr Eves: I will make as much time available for debate about the statement as I can, having regard to the fact that the previous government on some occasions (a) never had any time for debate on budgets, and (b), I think three out of four years, didn't even bother to vote on them. But I will certainly try to make every effort to make certain that we indeed will have some time so members can express their opinions in this legislative chamber with respect to the fall financial statement and with respect to the fiscal situation in the province of Ontario.

HIGHWAY SAFETY

Ms Shelley Martel (Sudbury East): I have a question for the Minister of Transportation. Last Thursday, you received a letter in your office which was written by me on behalf of my northern NDP caucus colleagues. In the letter, we expressed to you our grave concern with your proposed cuts to the winter maintenance program, cuts we believe will seriously jeopardize safety in our special part of the province.

We also expressed to you our concern with your responses on what is a very critical issue, and we can only conclude that the problem is you are unfamiliar with the driving conditions in the winter that we and our constituents face. We believe that if you were to experience some of these challenges first hand, you would quickly change your mind with respect to the proposed cuts.

Therefore, my northern colleagues and I have invited you to drive with us in northern Ontario on the routes that will be affected by these cuts. We are prepared to do this at your convenience, with our own vehicles and at our expense. My simple question to you today is, will you join us?

Hon Al Palladini (Minister of Transportation): I appreciate the invitation to visit the north, but I can assure the honourable member that I am familiar with the north; I have been up north on numerous occasions.

But the situation that she's inquiring about is winter maintenance. I can assure the honourable member that this government is committed to winter maintenance, and we are spending \$130 million to deliver those services. How we're spending that money does not alter the standards; it's how we use that money and better utilize it.

Mr Gilles Pouliot (Lake Nipigon): I say to the minister, by way of supplementary, Minister, stop the dancing. Stop what is really a grotesque charade. Please,

no more games. How can you maintain the standards when you're saying that sand and salt spreaders will be reduced by 12.3%? How can you maintain the standards when you attest that the number of plows will be reduced by 10.8%? How can you maintain the standard when 125 seasonal employees will be let go, will be laid off?

What it does mean, sir, by way of a question, is that northern residents will be severely and negatively impacted when it comes to simple things such as a doctor's appointment. More importantly indeed is going to work. There will be more accidents, more people will die, and we wish to avoid anyone in this province conveying to the minister, after a catastrophe has struck, that he has blood on his hands.

We know that he's a reasonable man. He must restore the \$6.5 million. You can find the cuts anywhere else but please, please, Mr Minister, not on our backs, not on winter maintenance. Will you come to your good senses—I know you're capable of doing so—and give that assurance, for we are scared to death up north.

Hon Mr Palladini: I would like to tell my honourable colleague, obviously he did this job before I did, so he should understand that what he was spending last year was not maximizing the dollars. We have found a way to do it better for less. I want to say once again we have the flexibility to react. In case there is a need and there is a heavy snowfall we have the flexibility to react. Please, we are going to do what it's going to take to do the job.

FOREST FIREFIGHTING

Mr Harry Danford (Hastings-Peterborough): My question today is for the Minister of Natural Resources. It has been widely reported that the 1995 forest fire season was one of the worst on record. As forest products are a valuable part of our economy in Hastings-Peterborough and in many ridings of this province, each year millions of dollars are spent by the government fighting those fires and indeed millions of dollars' worth of timber are also destroyed. Could the minister report to the House today the extent of the damage and indeed the cost to the taxpayers of the 1995 forest fire season?

Hon Chris Hodgson (Minister of Natural Resources, Northern Development and Mines): I'd like to thank my colleague the member for Hastings-Peterborough for the question. As he's mentioned, we had an extremely severe fire season this year. Drought-like conditions created a lot of hardship on the people, particularly of northern Ontario. We had over 2,000 fires reported this year, over 615,000 hectares burned, and I just want to state how proud we were of the work of the MNR employees and grateful for the assistance of fire crews from across Ontario, across Canada and across the United States that came to help us out at this time.

The final bill for the 1995 forest fire suppression is approximately \$100 million. That does not count the lost timber value to the province of Ontario.

Mr Danford: I understand the reason for prescribed burns as a method of controlling forest fires, and also the risks that are associated with this method of control. I also refer to the incident that happened in Dubreuilville as a result of a prescribed burn, and I would ask, could

the minister detail what actions he has taken to prevent such a situation not happening again in the future?

Hon Mr Hodgson: The situation this year with the prescribed burns was truly unfortunate. The people of Dubreuilville came very close to losing their homes, and I just want to say that I went up there that day, met with the people, and I want to express on behalf of the Ontario government our appreciation for their patience, their cooperation, along with the people of Wawa and the surrounding area.

As the member from that riding knows, this was one of the better examples of people coming together in a time of crisis and caring about their fellow man. It was an unfortunate situation that I, hopefully, will never see again in this province.

However, prescribed burns have been used since the 1930s in this province. They're an ecologically sound and cost-effective forest management tool. In lots of cases they're used to clean up cutover sites, places where there are slash piles, to prevent serious fires from starting with the dry conditions in the summer.

This year we had unusual weather patterns. When the prescribed burn was ignited around Dubreuilville, the weather traditionally at that time of year becomes damp and there's rain. That didn't happen. We went into an unusual weather pattern and the fire got out of control.

I would like to say though that I ordered a review, it's reported back and the procedures were followed.

1540

VEHICLE SAFETY

Mr Mike Colle (Oakwood): To the Minister of Transportation: As you know, the OPP front-line officers, the truck troopers, are saying that the fines for unsafe trucks are a joke. The families of the victims are saying they're laughable. The inquest has said that fines must be increased significantly.

Mr Minister, are you going to stand up and tell this House that you as Minister of Transportation are in favour of significant increases in the fines for the unsafe trucks that are on our roads 24 hours a day in the province of Ontario? Are you in favour of increased fines?

Hon Al Palladini (Minister of Transportation): I would like to tell the honourable member that as far as the recommendations that the inquest has notified us, we have already implemented them and they are part of our safety plan. The fines in the province of Ontario are some of the highest across the country. As far as the fines are concerned, we will definitely recommend that these fines will be increased, but we do not have that capability to do it on our own. I would like to inform that to the honourable member.

Mr Colle: In the paper today the minister says that it's up to the JPs to decide the level of fines. What do JPs have to do with fines for unsafe trucks on Ontario highways? I ask you again, Mr Minister, are you going to support the front-line officers who have blood on their boots from cleaning up the traffic accidents? Are you going to support the families and the inquests who want some serious fines for the constant violations that take place on our highways? Are you going to do something

about it and not study it for six months or a year but stand for stiff fines?

Hon Mr Palladini: One thing that I would like to tell my honourable member: I know I am a rookie in this House, but one thing about it is that this safety plan—he might want to read a newspaper and believe what that newspaper says, but this safety plan with OPP involvement has been an ongoing thing for the last three months. So just because you read it in a newspaper doesn't make it correct.

As far as the implementation on the increases of the fines, yes, I do not have that authority. It's part of the legislation. We can make a recommendation on the amount, but it doesn't necessarily mean that it's going to come through. This government, this minister, is committed to road safety and we will do what it's going to take to ensure that our roads are safe in Ontario.

MOTIONS

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): I move that notwithstanding standing order 96(h), the requirement for notice be waived with respect to ballot items 5 and 6.

The Speaker (Hon Allan K. McLean): Is it the pleasure of the House that the motion carry? Carried.

COMMITTEE MEMBERSHIP

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): Mr Speaker, I would like unanimous consent to move the motion for the membership of standing committees for this session.

The Speaker (Hon Allan K. McLean): Do we have unanimous consent? Agreed.

Hon Mr Eves: I move that the membership of the standing committees for this session be as follows:

Mr David S. Cooke (Windsor-Riverside): Dispense, it's been read once.

Hon Mr Eves: Standing committee on the administration of justice—

Mr Cooke: It's agreeable.

Hon Mr Eves: Is it? Okay.

The Speaker: Is it agreeable? Agreed.

Shall the motion carry? Carried.

COMMITTEE SCHEDULE

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): Mr Speaker, I request unanimous consent to move the motion setting out the committee schedule for this session.

The Speaker (Hon Allan K. McLean): Do we have unanimous consent? Agreed.

Hon Mr Eves: I move that the following schedule for committee meetings be established for this session:

The standing committee on administration of justice may meet on Monday and Tuesday afternoons, following routine proceedings;

The standing committee on estimates may meet on Tuesday and Wednesday afternoons, following routine proceedings;

The standing committee on finance and economic affairs may meet on Thursday mornings and Thursday afternoons, following routine proceedings;

The standing committee on general government may meet on Thursday mornings and Thursday afternoons, following routine proceedings;

The standing committee on government agencies may meet on Wednesday mornings;

The standing committee on the Legislative Assembly may meet Wednesday afternoons, following routine proceedings;

The standing committee on the Ombudsman may meet on Wednesday mornings;

The standing committee on public accounts may meet on Thursday mornings;

The standing committee on regulations and private bills may meet on Wednesday mornings;

The standing committee on resources development may meet on Monday and Wednesday afternoons, following routine proceedings;

The standing committee on social development may meet on Monday and Tuesday afternoons, following routine proceedings; and

That no standing or select committee may meet except in accordance with this schedule or as ordered by the House.

The Speaker: Is it the pleasure of the House that the motion carry? Oh, we'll have debate on—

Hon Mr Eves: Mr Speaker, may I have—

The Speaker: Order. We have some debate on this motion.

Mr Chris Stockwell (Etobicoke West): I want to go on the record very early and I'll be very brief. I know it's a substantive motion; this is housekeeping. But I want to go on the record in this Legislature, and the same time from the last time, that the expense and cost and the overriding issues I have with respect to the Ombudsman committee and the cost of setting it up, striking staff for it and taxpayers' money being spent on the committee I consider to be a colossal waste of time, effort and money. I think it would probably be of good service to the people of this Legislature and the people of Ontario that that committee should be struck down and not resurrected again during this Legislature. I put that forward. Maybe they can debate it at the committee itself, make a recommendation and bring it forward to do just that.

Mr Bud Wildman (Algoma): I certainly had no intention to participate in a debate, but I've been provoked. The situation, as suggested by my colleague from Etobicoke West, is most troubling. It seems to me if we are serious in having an Ombudsman as an officer of this assembly who is responsible for handling problems with bureaucracy for our constituents, that it is of significant importance that this officer be accountable to the assembly and that the assembly have supervision or oversight of what the Ombudsman is able to do.

When the Ombudsman essentially reports to the committee on issues that the Ombudsman has been unable to resolve or that the government has not properly

responded to in the view of the Ombudsman, then surely it is the responsibility of this assembly to have a committee that can hear those issues and can properly deal with them and deal with them in a non-partisan way.

I certainly don't intend to prolong the debate, but I did want to go on record, on one of those very few occasions when I'm in disagreement with my friend from Etobicoke West, where I wanted to indicate that I believe it is the responsibility of the assembly to properly provide a vehicle for accountability for the Ombudsman and for the government ministers who must respond to reports of the Ombudsman on problems that individuals in this province have with bureaucracy.

Mr Alvin Curling (Scarborough North): I'll be pretty brief too. I think too that if we have an Ombudsman, we must have an Ombudsman committee. We have gone through this for years, trying to get the Ombudsman accountable to the committee or to the Speaker, and it was one hassle after another.

I just want to make sure, if the member wants to move to cancel the Ombudsman committee, maybe we should cancel the Ombudsman herself too.

Mr James J. Bradley (St Catharines): I want to say in less than half a minute how delighted I am that at long last the committees of this Legislature are being established. I'm wondering what has taken the government so long to do this.

The Speaker: Carried? Carried.

BUSINESS OF THE HOUSE

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): Pursuant to standing order 55, I wish to indicate the business of the House for the week of November 14, 1995.

As you know, Mr Speaker, next week is a constituency week, according to the parliamentary calendar. As agreed to by the three parties, the House will not sit on Monday, November 13. Instead, the House will sit on Friday, November 17, beginning with government orders from 11 am to 1:30 pm, after which we will proceed to routine proceedings. The House will adjourn at the completion of routine proceedings on Friday, November 17.

On Tuesday, November 14, we would like to begin with second reading of Bill 15, An Act to amend the Workers' Compensation Act and the Occupational Health and Safety Act.

We will continue with second reading of Bill 15 on Wednesday, November 15, and Thursday, November 16.

For Thursday morning's private members' business on November 16, we will consider ballot item number 5, standing in the name of the member for Port Arthur, and ballot item number 6, standing in the name of the member for Sault Ste Marie.

On Friday, November 17, we will proceed to the second reading of Bill 5 and the second reading of Bill 6.

1550

PETITIONS

HOSPITAL RESTRUCTURING

Mr Monte Kwinter (Wilson Heights): I have a petition to the Legislative Assembly of Ontario.

"Whereas the report of the Metropolitan Toronto District Health Council hospital restructuring committee has recommended that North York Branson Hospital merge with York-Finch General Hospital;

"Whereas this recommendation will remove emergency and inpatient services currently provided by North York Branson Hospital, which will seriously jeopardize medical care and the quality of health for the growing population which the hospital serves, many being elderly people who in numerous cases require treatment for life-threatening medical conditions;

"We petition the Legislative Assembly of Ontario to reject the recommendations contained within the report of the Metropolitan Toronto District Health Council hospital restructuring committee as it pertains to North York Branson Hospital so that it retains, at minimum, emergency and inpatient services."

It is signed by 26 of my constituents, and I have affixed my signature as well.

FRENCH-LANGUAGE SERVICES

Mr David Christopherson (Hamilton Centre): I have a petition from my community signed by 504 individuals.

"Whereas the funding for social services in the Centres de santé communautaires of Hamilton and Niagara has been cut by 100%;

"Whereas the French Language Services Act ensures the delivery of French-language social and health services to francophones in designated cities, such as Hamilton, Welland and Port Colborne;

"Whereas the needs and feasibility studies carried out after the implementation of the French Language Services Act recommended the establishment of community health centres in the regions of Hamilton-Wentworth and Niagara to ensure delivery of French-language services;

"Whereas the health centres are the only organizations ensuring the delivery of social services in French since there are no designated bilingual positions in the other organizations of these designated cities;

"We, the undersigned, petition the Legislative Assembly as follows:

"We demand that the Legislative Assembly immediately stop its attack on French-language services in Ontario. The Centres de santé communautaires of Hamilton and Niagara are the only agencies offering French-language social services because there are no bilingual designated positions in the other agencies in our communities. We expect the Legislative Assembly to demonstrate clearly that Franco-Ontarians are an integral part of the province of Ontario, to immediately review the cuts which have affected those health centres and to re-establish the funding of social services and ensure the future of social services and health services in French in the Hamilton-Wentworth and Niagara community health centres."

I proudly add my name to theirs.

PROPERTY ASSESSMENT

Mr Bill Grimmett (Muskoka-Georgian Bay): I have yet another petition on behalf of the member for Simcoe East. One of these days he's going to have to pay me back.

This is a petition in respect of market value assessment, and I'll summarize it. The 904 signatures attached are all in objection to the proposed market value assessment for the county of Simcoe, and I present this today.

COMMUNITY-BASED JUSTICE OPTIONS

Mr Alvin Curling (Scarborough North): I have a petition that is addressed to the Legislative Assembly of Ontario. It says here:

"Whereas during the 1970s the government of the day developed measures that curbed the growth of government by involving local communities in the provision of legal services; the criminal justice field began to recognize the benefits of community-based justice options; privatization was considered more cost-effective while strengthening government ministries through community participation in the justice system.

"Since this time, non-profit agencies across Ontario have developed effective programs and present a strong local face to the justice system while supporting partnerships with an ever-widening community base. Community programs have proven to be effective in comparison to directly operated government services. Community-based options reduce the cost of incarceration while promoting public safety.

"Whereas community-based justice programs such as community service orders, diversion alternative measures, bail supervision etc are of proven value; the screening and supervision of accused and offenders within well-defined programs contribute to public safety; for over 20 years community-based options have made a positive contribution to the welfare of community in Ontario;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We believe these programs must not be viewed as dispensable. As with many recent cuts, short-term fiscal expediency holds no long-term value. Credible links with the community and quality programs for the citizens of Ontario must be maintained."

With a number of people who have put their signature here, I've also affixed my signature.

LABOUR LEGISLATION

Mr Tony Silipo (Dovercourt): I have a petition to the Legislative Assembly of Ontario:

"Whereas the Minister of Labour has introduced legislation, Bill 7, to drastically amend the Labour Relations Act, the Employment Standards Act and other labour legislation which had been brought forward by successive Progressive Conservative, Liberal and New Democratic governments in the recognition of the legitimate rights of employees in Ontario;

"Whereas the implementation of Bill 7 will undermine the fundamental and democratic rights of employees to organize and to have access to collective bargaining;

"Whereas employers have raised concerns about how Bill 7 will result in an increased number of strikes; and

"Whereas the Minister of Labour is proceeding with Bill 7 without consultation with employee groups and without conducting public hearings;

"We, the undersigned, petition the Legislative Assembly of Ontario to urge the Minister of Labour to withdraw Bill 7."

It's signed by many people in my riding and I've affixed my signature to it as well.

KARLA HOMOLKA

Mr Ed Doyle (Wentworth East): I'd like to present this petition on behalf of the people who live in the Dundas region.

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand a public inquiry into the conduct of all crown and law enforcement officials and employees at all levels involved in the investigation of Karla Homolka, and in particular the circumstances of the negotiation of the plea bargain arrangement. We also demand that all day passes and other privileges be revoked and her full 12-year sentence be served in its entirety."

This is signed by approximately 260 people.

AMALGAMATION OF SCHOOL BOARDS

Mr Mike Colle (Oakwood): I have a petition here from the parents and children of F.H. Miller Public School in my riding and from the executive of the school:

"Whereas the Sweeney task force has recommended the amalgamation of the city of York's 18,000 students and East York's 15,000 students and Toronto's 78,000 students into one mega-board; this would create a new board of almost 113,000 students, the largest in Canada;

"Whereas the following could have this effect: one trustee would be responsible for all the city of York, a city of 130,000 people; before- and after-school programs would likely cost more or could possibly be cancelled; family centres may only exist if fees are charged for this service; kindergartens may lose their full-time teacher's aide; fees may have to be charged for supervision on professional activity days and for many summer school programs, including the kindergarten summer program;

"We, the undersigned, object to the amalgamation of these three boards into one mega-board."

LABOUR LEGISLATION

Mr Gilles Bisson (Cochrane South): I have a petition here that's signed by a number of people from not only within the riding of Cochrane South but in other parts of the province, and addressed to the Legislative Assembly of Ontario:

"Whereas the Minister of Labour has introduced legislation called Bill 7 to drastically amend the Labour Relations Act, the Employment Standards Act and other labour legislation which had been brought forward by successive Progressive Conservative, Liberal and New Democratic governments in recognition of the legitimate rights of employees in Ontario;

"Whereas the implementation of Bill 7 will undermine the fundamental and democratic right of employees to organize and to have access to collective bargaining;

"Whereas employers have raised concerns about how Bill 7 will result in an increased number of strikes; and

"Whereas the Minister of Labour is proceeding with Bill 7 without consultation with employee groups and without conducting any public hearings;

"We, the undersigned, petition the Legislative Assembly of Ontario to urge the Minister of Labour to withdraw Bill 7."

I affix my signature.

CLOSURE OF CHATHAM JAIL

Mr Jack Carroll (Chatham-Kent): I have a petition today on behalf of 1,792 residents of Chatham and Kent county, very short and to the point.

"To the Ontario Legislature:

"We, as concerned citizens of Kent county, do not want to have the Chatham Jail closed. Some of our concerns: safety of our community, our taxes will go up, and it will have a negative effect on business in this community."

I affix my signature to this petition.

1600

LABOUR LEGISLATION

Mr David Christopherson (Hamilton Centre): "Whereas the PC government of Mike Harris, under the influence of corporate special interests, has introduced Bill 7, which would roll back rights of workers that have been achieved over several decades;

"Whereas this legislation is part of a pattern of cutting back protection for people in Ontario who don't have power or influence, including reduced welfare payments, cuts to health and safety training, a cap on pay equity wages for low-paid women, gutting of the wage protection program, a freeze on the minimum wage and lower workers' compensation benefits;

"Whereas the effects of Bill 7 would be felt in every workplace across Ontario, from Windsor to Cornwall to the Manitoba border;

"Whereas the people who will be affected by this legislation have a natural right to be heard by MPPs before such sweeping changes are rammed through the House;

"We, the undersigned, petition the Legislative Assembly of Ontario to hold public hearings in at least eight cities in all parts of this province and listen to why Bill 7 should be withdrawn."

I affix my signature.

RURAL HEALTH SERVICES

Mrs Helen Johns (Huron): I rise today to present a petition on behalf of the residents of Wingham, in the riding of Huron, to the Minister of Health as follows:

"We address this letter to you, as our MPP, to voice our concerns regarding the threat of withdrawal of 24-hour emergency medical coverage at Wingham and District Hospital due to the lack of physicians. We ask that the Minister of Health act immediately upon the findings of the Scott report to recruit doctors to rural hospitals.

"We know of citizens within our town who would have definitely lost their lives in transit to the nearest local hospital.

"As taxpayers and constituent residents, we, at all costs, refuse to accept anything less than 24-hour emergency treatment available serving the town of Wingham. There is no pricetag to place on human life, and savings must be found elsewhere."

LABOUR LEGISLATION

Ms Marilyn Churley (Riverdale): "To the Legislative Assembly of Ontario:

"Whereas the Minister of Labour has introduced legislation, Bill 7, to drastically amend the Labour Relations Act, the Employment Standards Act and other labour legislation which has been brought forward by successive Progressive Conservative, Liberal and New Democratic governments in the recognition of the legitimate rights of employees in Ontario;

"Whereas the implementation of Bill 7 will undermine the fundamental democratic rights of employees to organize and to have access to collective bargaining;

"Whereas employers have raised concerns about how Bill 7 will result in an increased number of strikes; and

"Whereas the Minister of Labour is proceeding with Bill 7 without consultation with employee groups and without conducting public hearings;

"We, the undersigned, petition the Legislative Assembly of Ontario to urge the Minister of Labour to withdraw the bill dated November 1, 1995."

I will affix my signature to this petition.

ORDERS OF THE DAY

JOB QUOTAS REPEAL ACT, 1995

LOI DE 1995 ABROGEANT

LE CONTINGEMENT EN MATIÈRE D'EMPLOI

Resuming the adjourned debate on the motion for second reading of Bill 8, An Act to repeal job quotas and to restore merit-based employment practices in Ontario / Projet de loi 8, Loi abrogeant le contingentement en matière d'emploi et rétablissant en Ontario les pratiques d'emploi fondées sur le mérite.

The Speaker (Hon Allan K. McLean): The member for Riverdale, I think, had the floor last.

Ms Marilyn Churley (Riverdale): Yes. Thank you, Mr Speaker. I'm still fiddling with my petition. It was brought back to me.

Mr Gilles Bisson (Cochrane South): Because it was photocopied.

Ms Churley: Oh, I see—photocopied. I have things to learn still.

When I stopped speaking yesterday on this bill, I was urging the members across the floor, the members of the government, to come forward quickly with some new legislation.

I got the impression from listening to some members in the House, certainly when the minister spoke about repealing our bill, notwithstanding the fact that she and all her government members continue to talk about quotas where no quotas exist—they know that if they don't continue to use that word, they don't have much of a leg to stand on in terms of repealing this bill, which is why it's in the title and why they keep saying it.

In one of their favourite quotes, I believe somebody said, "If it walks like a quota and looks like a quota, it is a quota." That's cute, that's really cute, but it continues to perpetuate a misunderstanding. To be kind—unlike my leader who used a stronger word when I sat in that chair there—it certainly misrepresents what the bill is all about.

I personally am very saddened that that has happened, because I think it preys on people's fears, especially during high unemployment. I said yesterday that of course people are going to be afraid and object to the bill when they're told that it's going to prevent their son from getting a job because somebody with less qualifications will get it because they may be disabled or of a different colour or a woman.

The reality is that that's not what our bill is all about. The bill, as has been eloquently pointed out now by other members from my caucus, including the member for London Centre and our leader, was to try to attempt to redress the imbalance out there in the marketplace. Quite a few big businesses and even some small businesses admit that there are problems there, and everybody in this House admits that there are problems. You just have to look at the statistics, and whether you like it or not, if you look at them, they show that there really is a problem that we need to deal with, and this government has admitted that.

The minister has said that she just didn't like our approach and she would come back with a new plan. In the meantime, we've been told that the Human Rights Commission will be asked to deal with this problem on a one-on-one basis. Well, any member here—perhaps new members don't know or perhaps they do, but if they don't, the Human Rights Commission is not the place to deal with individual complaints like that.

When we're talking about systemic discrimination, it makes far more sense to have a kind of system in place out there in the workforce, in the workplace that will create a climate where change will take place. The Human Rights Commission, which is already terribly backlogged and would need a tremendous amount of unavailable money put into it to start dealing with complaint after complaint after complaint, would take years to get to those complaints on an individual basis. I think we all know that's not the answer.

That brings us to: What is the answer? What is the minister going to come forward with? I certainly urge the government to make this a priority. Certainly, when we came into government, we didn't look at each other one day and say: "Gee, there are just not enough controversial things to do. Why don't we create employment equity legislation? That should be fun." We had heard from groups from all over Ontario before the election, during the election and after the election about the fact that the real problem was that there wasn't fair hiring practice in the marketplace out there. People came to us saying that that needed to be redressed.

As others have pointed out, we weren't the first government, the first people to grapple with this problem. The federal government, even the federal Tories, came in with a weak kind of bill. All parties on all levels have made attempts to deal with this problem. But the voluntary system and the system that we had in place here in Ontario wasn't working and isn't working, and there are all kinds of studies and all kinds of statistics that prove that.

I know that when we look in the mirror and when we look around at who our friends are, and my colleague the

member for London Centre talked about this quite eloquently, I think it's human nature to feel more comfortable with and want to be around people of our own class—it happens—our own race—it happens—people from our own kind of culture who talk the same language we do, who look like we do and have generally come from the same cultural background. I think that's probably human nature, which is part of the problem and which is why there is systemic discrimination.

The problem is that most of the time people don't know what's happening, don't know that they're discriminating. That's why I find it incredibly odious that part of this bill requires, demands that workplaces that have already done studies have been asked, they've been told, that they must destroy this documentation.

That is so odious, and in my view it goes against the grain of what this government talks about, although there have been several incidents from this government lately that are really making me wonder about its commitment to democracy, including the alleged comments by the minister responsible for women's issues in terms of trying to silence people if they don't agree with this government. I suggest that's a very serious matter. It strikes at the very heart of a democracy that we value in this country, in this province.

1610

There are connections here, because I believe that in a democracy we want to do everything we can once we discover that there's unfair treatment in our society, and as has been pointed out time and time again, it's not a small minority group over here somewhere that's just making problems and won't shut up and won't go away and, "What's the matter with them anyway?" It's women, it's disabled people, it's people of colour, it's first nations people. These groups add up to I believe over 60%—I forget the percentage exactly—but well over 60% of the population.

Surely, as we all admit, we want to do something to make sure that all people in Ontario are given equal opportunity, and equal opportunity is about having the opportunity, the chance to go into a job interview, to first of all hear about the job interview, to hear that the job is open, and then to go into an interview with the same chance as anybody else of being hired.

What's been interesting for the companies that have done the research and the documentation—I sincerely hope, if nothing else about this new bill repealing our bill that this government will see fit to change, that you will allow the companies that have done the research, which is very, very valuable research not only to them but I'm sure in the future, with future governments—I'm going to tease the bears a little bit here. Given what's happening over there these days, I expect to find a few of those members back over here in a few years. I think at that time, if this government is not prepared to use this documentation in a positive way, then certainly others would be, including this caucus.

Mr E.J. Douglas Rollins (Quinte): The Blue Jays will be back too.

Ms Churley: Yes, the Blue Jays will be back one day too.

But when we accept the fact that there is inequality, what do we do about it? What we did as a government was, we went out and we consulted very widely and very broadly and had committee hearings. We had many, many discussions at our cabinet committee, our justice committee on this issue. We tried to strike a balance. There are certainly some people in the equity community who wanted us to go further and there were some in the business community who felt we were going too far, and I think what we ended up doing was striking a pretty fair balance.

The reason why we all keep coming back to the fact that this is not a quota system is pure and simple: It isn't a quota system. It gives people the opportunity to create reasonable goals and timetables. If you don't ask the workplaces out there to come up with strategies, to look at their workforce, to figure out what is going on within that workforce, what the makeup of the workforce is, if you don't require people to do that, then we're not going to find out what the problem is and we're not going to be able to fix it.

That is the reality. That is the reality of what has been going on in Ontario all this time. All of the other efforts, including within this government—yes, when we were in government as well, it became very clear that we have tremendous problems within government in terms of equity hiring in terms of first nations, in terms of the disabled in particular I would say.

What do we do about that? The reality is, those kinds of problems show up within other workplaces as well. If you don't have the information, if you don't have the statistics, then you simply can't fix it. When we know what the problems are, then reasonable people will sit down and say: "Okay, this is what we've got here. We're going to come up, together with the workers, with a plan to fix this." Our government set up a body that would aid and assist the workplace to come up with solutions to the problem.

I think this government needs to go out and consult with people and talk to people, the people who are affected by repealing this legislation, about what it means to them. Talk directly to aboriginal people, talk directly to disabled people, talk directly to women, who I think out of all of the equity-seeking groups have done far better than disabled and other minority communities that are still stuck in job ghettos in many, many categories. Go out and talk to people and find out what is going on.

I suppose in some ways you're going to have to repeat what we did, because you've got to hear the stories from the real people. You've got to talk to the people who are affected, because otherwise, if you're just coming back to the mirror again, if you just talk to yourself in the mirror, you're going to hear basically what you want to hear. That's certainly more comforting, to have our own views reaffirmed: "Oh yes, this is what I believe, and everything's fine. We don't need to deal with this. All the people I know seem to be doing fine, seem to be getting hired. If somebody is qualified, no problem, they'll get an interview, they'll get a job."

We come back again to merit. It seems to me that so much of this debate and this discussion is focused on

what we mean by merit, and it's interesting listening to all of the speakers in the House. We all agree—if nothing else, we all agree on one thing—that people should be hired on the basis of merit.

I forget who it was, but I believe when I was in the chair earlier in the week, one of the Conservative members—because I refuse to use “Progressive Conservative” any more with this gang in the House; no more, that's it, just “Conservative”—one of the Conservatives talked about the fact that he found that the people who seemed to be most distressed and upset by our employment equity bill were actually people from the equity groups, people of colour or the disabled or whoever.

Of course. I come back again, if you tell people they're not going to be hired because they're the best for the job, if you tell people that they're going to be part of a quota, if you tell people this, of course they're going to feel diminished, they're going to feel belittled.

Very few people in our society want to get a job on the basis of that. If you tell them that, they're going to say, “No, no, I've got too much pride for that.” So no wonder you heard from those particular people during the campaign that they didn't want this kind of legislation. People want to be hired on the basis of merit, and that's sincerely what this bill is all about. That is what our bill was all about, because I come back to the fact that statistics show that isn't happening out there.

I believe, if I'm not mistaken—and I've said this before, but I'm beginning to wonder now—that everybody believes that there's a problem. Am I not correct? Am I not correct in thinking that? Therefore, I don't know what that outburst was all about, because we all agree on that, and we all agree that there are people out there from other—who aren't, frankly—let's say it—white males who aren't getting jobs when they have the capacity, the ability to do the job.

1620

Why? Why is that happening? Have you answered that question? Surely you're not saying it's because those people don't have the merit.

So what is the problem? They're certainly not getting in to the interviews. Maybe sometimes it's cultural differences within an interview. Maybe because of the way our culture is structured, and when people come for a job interview, their particular—and often it's unwritten and coded and we don't even know ourselves the kind of body language, the kind of signals, the kind of buzzwords we're looking for that make us feel comfortable. So much of that stuff is unconscious. That's a fact; that's a reality. That's a reality.

But then what? When we know that, when we accept—and again, there's a body of evidence. We're not making this up; there's a body of evidence that shows that this happens. Then again, what we're doing is we're coming back to, what do we do to fix it? How do we in the province of Ontario come to grips with the fact that there are unfair hiring practices out there? How do we come to grips with the fact that there are people with merit, with all kinds of abilities, with degrees—and I've certainly met all kinds of people from other countries, of

different races, different ethnic backgrounds, with incredible expertise, incredible abilities, who come and say they can't get a job. They can't even get an interview.

There's a problem, and I would like to hear that acknowledged again today from the members of the government when they speak to this bill. I'd like to hear that reaffirmed, that we agree that there's a problem.

The Human Rights Commission is not going to fix it. We know that. So let's not even play that game. Let's just get off that, because we know it was something to say when the minister first came in the House because she didn't have a solution. But that is not the answer.

So what I'm hoping to hear from some of the thoughtful backbenchers today, and I know there are some there—no, seriously—who have given this issue some serious thought and can come up today with some solutions that you think will work. But don't continue to talk about the Human Rights Commission. That will not deal with the problem.

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): Mr Speaker, if I might, on a point of order about late shows scheduled for this evening: It is my understanding that the following members have agreed with the cabinet ministers involved to defer their late shows scheduled for this evening: one standing in the name of the member for Fort William, one standing in the name of the member for Riverdale, one standing in the name of the member for Hamilton East and the one standing in the name of the member for Windsor-Sandwich.

The Acting Speaker (Mr Gilles E. Morin): Agreed? Agreed.

Questions or comments?

Mr Tony Clement (Brampton South): I thank the honourable member for Riverdale for her comments respecting Bill 8. My reply takes a couple of forms. Firstly, I want to respond to her concerns that we are not addressing the problems that some members of our society face when dealing with discrimination in the workplace.

Are there problems that have to be faced? Most assuredly there are. The issue, though, is how does government, how do we as a society face those problems? I think we as a government have made the determination that coercion is not the answer. Forcing people into set moulds is not the answer. Numerical targets are not the answer. Huge fines are not the answer. There must be a better way in order to change some societal attitudes and some individual attitudes in order to ensure that merit is the principle by which we make hiring and promotion decisions.

Our government will be introducing an equal opportunity plan which is non-legislative and non-coercive to work in partnership with business, in partnership with the employees, to ensure that that message is loud and clear.

The honourable member for Riverdale said that the Human Rights Commission cannot fix all of these problems. In its present form, she is correct. That is why we have made a commitment, both during the campaign and subsequent to that campaign, to ensure that the

Human Rights Commission is focused on its original mandate to protect individual rights, to protect persons who have been discriminated against and to ensure that those persons have a remedy that is quick and to the point and deals with the issue at hand rather than having a commission that is all over God's half-acre trying to solve everything for everybody.

Mr Alvin Curling (Scarborough North): The more and more I listen to the Conservative Party, I don't understand what they're speaking about in employment equity, and my job in this House is not to convince them. I think they're beyond convincing what employment equity is all about, because I really deal with people themselves. The member for Riverdale was appealing to you all about taking another focus of what employment equity's about. I think it's falling on deaf ears anyhow, but again I'm going to make the attempt.

I want to emphasize really that what you're doing is undoing justice which was sought by people who have been subject to discrimination for decades. They want that to be revisited and make sure that they have access to opportunities, and that is not being done with your bill at all. If you'll take a look at it closely, that's not being done.

Employment equity legislation is not about protecting the four designated groups at all. You may say, "We're only protecting the four designated groups," and the other one, five, which are francophones, it's not doing that. The employment equity was talking about four. I'll remind you they had excluded the francophones.

I want to ask them, what do they tell the thousands of disabled who are qualified disabled and competent, who have merit, who have been shut out? What do you tell them when you shut them out of the process and they have been denied because they don't have proper access to the workplace? What do you tell them? Do you tell them that you have a bill about job quotas? What do you tell them? You have nothing in place, and I hope that I'm appealing to the people outside to put pressure on every single one of you to make sure that you bring us in an employment equity bill that is fair.

Mr Rosario Marchese (Fort York): I just want to support the comments that were made by my friend the member for Riverdale, disagreeing strongly with the member for Brampton South, as with all the other members who speak to this issue.

Goals and timetables, as we've set out in this act, are not quotas. What we say in the document, Bill 79, and the act that we passed is that employers are asked to make reasonable efforts. Quotas say this: One in four or one in three or one in two shall be hired. That's what quotas are all about. This document that we have passed, this Bill 79 that we have passed, is not that. They know that clearly, we know it, and the difference is, what do people believe?

If you don't read the act you'll end up believing the Tories because they got elected on this, and if you read it you will realize that mendacity is the rule of the time and this is what they've done. Goals and timetables, as we've set them here in this act, requiring employers to make reasonable efforts, are exactly that. It says to

employers, "As long as you're dealing with this—you, employers—identifying the barriers and as long as you're making reasonable efforts to represent the workforce around you, then you're doing your job." If employers deny, refuse to do that, then you fine them. What's wrong with that?

The member for Brampton South says, "Well, you can't coerce them." We argue that if you leave it voluntarily, as has been done before 1974, it won't work. You've got to tell those who refuse to make reasonable efforts that if they're not doing it, they get fined. That's what we're talking about; that's what the member for Riverdale was talking about. In order to make things even, because things are uneven in society with the designated groups, you've got to do something like Bill 79.

1630

Mr Bill Grimmett (Muskoka-Georgian Bay): I'm happy to respond to the comments of the member for Riverdale. I have to note that the approach taken by the honourable member is somewhat different from the approach taken by the leader of the third party. I found her review of the proposed bill quite helpful and, I thought, quite sincere.

The leader of the third party has, in his usually eloquent way, characterized our government as a bunch of "Reform Party yahoos." He has also characterized Bill 8 as a "Neanderthal policy of patriarchy."

Now, I do not have the leader of the third party's wonderful eloquent sense, but I can assure the members of the third party that I have had an opportunity to deal with the legislation in my humble and modest legal career. I've also had an opportunity to review the bill recently.

I have to say, although it was a struggle for me, despite the fact that somehow I managed to get into the same law school as the leader of the third party, although I'm sure he wouldn't believe that, it is not difficult to find in this legislation the kind of heavy-handed implications that the constituents in my riding raised to me when I went to their doors about employment equity.

It is perceived by the public as being quotas. When a layperson is introduced to the language of the legislation, it would be my assertion that they would draw the same conclusion that the act contains quotas.

It is our position that this legislation is unnecessary, unfair and ineffective.

The Acting Speaker: The member for Riverdale, you have two minutes.

Ms Churley: I should say to the previous member that perhaps one of the reasons why my language wasn't as strong as my leader's is that, as I said yesterday, I'm one of the deputy Deputy Chairs, and experiencing what it's like in the chair to—

Mr Marchese: Decorum.

Ms Churley: Yes, decorum. I have to tell him though, and disappoint him, that I agree very much with my leader's words about the title of the bill and what's been said about the bill. I have to assure you of that very, very strongly. I agree with my leader's words. I used the word, I believe, "misunderstanding" or something gentle like that today, but certainly, as I stated before, there are no quotas in this bill.

As for the member for Brampton South, all I can say, again, is that he's repeated—over and over people have repeated—that there is a problem but that they're going back to a voluntary system. We would have liked that too, but it didn't work.

Human Rights Commission? Tell me how much money you're going to put into it. Tell me how you're going to make it work. Tell me what you're going to ask them not to do that's so important out there besides discrimination in the workplace that they have to do that's very important work. You haven't talked about that. But even with enough money thrown at it, it doesn't deal with systemic discrimination. Just take a look at it and you'll understand that.

But I'd say in closing, talking about looking in a mirror, let us just look around the Legislature, for heaven's sake. Let's look at each other here.

Mr Chris Stockwell (Etobicoke West): Oh, I see. I've heard this before.

Ms Churley: Well, the member for Etobicoke West is saying, "Oh yes, we've heard this one before." It's a reality, isn't it? Out of 82, you've got 11 women. We have four out of 17. We have four in the Liberals out of 30. We have one person of colour. We used to have—my time is up?

The Acting Speaker: Your time has expired.

NOTICE OF DISSATISFACTION

The Acting Speaker (Mr Gilles E. Morin): Pursuant to standing order 34(a), the member for Cochrane South has given notice of his dissatisfaction with the answer to his question given by the Minister of Municipal Affairs and Housing concerning the impact of provincial cutbacks on local property taxes. This matter will be debated today at 6 pm.

Pursuant to standing order 34(a), the member for Wilson Heights has given notice of his dissatisfaction with the answer to his question given by the Minister of Economic Development, Trade and Tourism concerning funding for Secutron Inc. This matter will be debated after six o'clock this evening.

JOB QUOTAS REPEAL ACT, 1995

LOI DE 1995 ABROGEANT

LE CONTINGEMENT EN MATIÈRE D'EMPLOI

(continued)

Mr Toni Skarica (Wentworth North): It's a great honour to give this, my first speech in the House. It's my understanding it's a tradition to talk about the previous member and a little bit about the riding, so I'd like to talk about Mr Don Abel, who I consider to be a total gentleman.

Mr Bisson: He'll put that in his campaign literature next time.

Mr Skarica: That's fine.

It is said that the measure of a man is not how he conducts himself in victory but how he perseveres in defeat. It was obvious early on in the election that Mr Abel had no chance of winning, even though he was personally very popular. Everyone knew this. I did, the Liberal opponent knew it, and so did Mr Abel.

I'd like to inform the members of the House that even with the knowledge of certain defeat, Mr Abel persevered, he worked 18 hours a day, he campaigned probably as hard as anyone else in the province, and I think the members of the third party in this House should be very honoured to have been associated with him. I consider Don Abel to be a personal friend of mine, and I don't mind if he puts these comments in his campaign literature if he wishes to do so.

I'd like to talk briefly about Wentworth North. It is the horseshoe in the Golden Horseshoe. The Niagara Escarpment, designated as one of the world's biosphere reserves, curves in the riding from Ancaster into Waterdown and encircles Dundas. These three towns and surrounding regions are a delicious combination of rural, suburban and urban areas.

I grew up in Greensville, in the town of Flamborough, as did the honourable member for Don Mills, who is now the Chair of Management Board, and I can tell you that the community is very proud of him. Greensville is on the lip of the Niagara Escarpment, surrounded by numerous conservation areas, and there are a number of panoramic and breathtaking views of the escarpment and valleys and waters that can be seen from there. As a child my fondest memories are of playing in and about a number of waterfalls there, Websters Falls and Tews Falls.

Unfortunately, a great cloud has settled over the community of Greensville in the form of an application to put in one of North America's largest dumps only a scant few yards from some of the most breathtaking and scenic wonders to be found in this province, if not in the world. I am committed to dispersing this cloud, preserving this magnificent area for the benefit of all future generations to come.

I spoke earlier that it was an honour to serve in the House, and really, it's a wonder as well. Some who know me would totally agree with that. I'm an immigrant to this country, as a number of people here have mentioned. When my family arrived in 1958, we had no money, we knew no one and we barely spoke English. Notwithstanding that, this province allowed me to get a good education. It allowed me to go to school. After my second year at McMaster, I went to the University of Toronto law school.

It was amazing to me when I arrived at the University of Toronto law school that I was there. One minute I was a kid from the wilds of Greensville, and the next minute I was attending University of Toronto law school with very prominent people. For example, I'm not embarrassed or ashamed—in fact I'm proud—to tell you that I was a classmate of the honourable member for York South, who went on to attain the distinguished titles of leader of the third party and former Premier.

The bottom line is that I grew up in Ontario, and it was the land of opportunity when I grew up. If you worked hard, you could better yourself. You could lead a comfortable life regardless of humble beginnings.

Regrettably, as previously mentioned by another member, Ontario today has changed. This was emphasized to me a year ago when nobody in this party had

ever heard of me, and I'd like to relate, if I could, a story which has the advantage of being true.

I recall my two sons, who were 17 and 15 at the time—and they're still my babies and they're going to hate that I said that, but I recall, and this is a true story, they were talking about where they were going to emigrate to when they finished school, because the people that were talking—my two sons were talking with their friends—were white males.

Why were they talking like that? It's simply because the opportunities that I had and that many of us here in this House had were not available to them, and there are two reasons for that: One is that the overspending by governments for a long time had robbed them of many opportunities and, second, they were deprived of the few opportunities that were left by what I consider to be a very malicious and discriminating law.

1640

You've talked about rhetoric and you've talked about studies, but those children knew intuitively something that's not been mentioned in this House by any of the opposition members.

If I could, I'd like to refer to a study. I'll refer later to one of the members referring to, "Let's look at the evidence; let's look at the studies." Well, here's one. It was reported in the *Hamilton Spectator* on October 1, 1994. Professor Groarke did an analysis and he stated:

"If the goals set out in Bill 79"—the prior government's legislation—"that came into effect last month are seriously applied, many companies in Ontario will have to avoid hiring able-bodied white men for 10 to 15 years."

Mr Bud Wildman (Algoma): What does that mean for able-bodied white women?

Mr Skarica: "Instead of promoting non-discrimination, employment equity will end up making young men pay the price of past hiring practices and social trends, even though it's older men who benefited from them by getting seniority and good positions."

So your law, basically, meant it was something like a biblical plague, that the sins of the fathers were going to be visited on the children.

Your member for Lake Nipigon said to us, "What about the children?" Well, what about my children? What about the children of the people in this place? What about the children of millions of people in Ontario?

Mr Tony Martin (Sault Ste Marie): What about your daughters?

Mr Skarica: We'll get to them in a minute.

What was truly shocking and disturbing was the fact that this law was discrimination, and discrimination in any form is evil.

Your member, the member for Fort York, indicated, "Look at the studies." Just so I cannot be accused of misquoting him, I have Hansard here and I'd like to quote what he said, because we've heard a lot of rhetoric in this House but not a lot of evidence. He said:

"Is this government not intent on looking at this kind of research that has been done? Is this government not

interested in listening to that? I know they're not listening now, including the minister, I understand that, but if they simply look at the record—"

Well, what is the record? I decided the member for Fort York might have a good idea there and I conceded that maybe we should look at the record. I went looking for evidence, and what better place to look for the truth than to go to a publication renowned for its unbiased reporting of just the facts, the *Toronto Star*.

The *Toronto Star* indicates as follows in an article dated July 26, 1995, entitled "Employment Equity Simply Wasn't Necessary." They refer to two studies, the record, as referred to by the member for Fort York:

"Two studies by the now defunct Economic Council of Canada are relevant here. In 1991, it released a study called *New Faces in the Crowd*."

Mr Joseph Cordiano (Lawrence): It's not an editorial.

Mr Skarica: It's not an editorial, it's fact. As the member for Fort York kept yelling out, "It's a fact, it's a fact." Well, these are the facts.

"This study, done by the Economic Council of Canada, concluded that Canada had successfully assimilated immigrants from a variety of ethnic and cultural backgrounds and that there was no observable tendency towards discriminating against immigrants from Third World countries.

"Another study called *Canadian Social Trends*, a 1995 study published in the 1995 edition of StatsCan, indicated as follows:

"Members of visible minorities were as likely as other Canadians to be employed in professional occupations. These simple facts utterly deny the picture of a society seething with racial tensions and hostilities so lovingly painted by the Rae government and its ideologues."

Your government indicates to us that we are slaves to ideology, that we have an ideology and we're going to go along with that ideology no matter what. What about you? Look at the dates of those studies, 1991 and 1992. Even if there was no observable evidence of discrimination against minority groups, the following year after those two studies—

Mr Wildman: How can you say that when 80% of aboriginals are unemployed?

Interjection.

Mr Skarica: You told us to look at the studies. The studies are there.

Mr Bisson: On a point of order, Mr Speaker: The member across from the Conservative Party—I've got to take a look; he's in the wrong seat—there's a member opposite from the Conservative Party who's got up in this House and accused native people of not looking for work, inferring that they're not eager to find work or they're lazy. I think that the member should withdraw. It is a most—

The Acting Speaker: Take your seat. This is not a point of order.

Mr Skarica: The point is that your Employment Equity Act, 1993, came after objective studies indicated

that there was absolutely no need for that type of legislation, but you went ahead with it anyway because you were a slave to ideology—and you accuse us of the same thing.

Somebody mentioned—one of the members yelled out, “What about women?” All right. Going back to the record, an article dated October 1, 1994, *Hamilton Spectator*, called “Reversal of Fortune,” had this to say:

“Between 1985 and 1990, the number of women in the 10 highest-paying occupations increased by 53% while during the same period the number of men in the same occupations increased by 1%. We don’t need social engineering and unfair bureaucratic formulas. The workforce is naturally evolving to reflect the changing roles of men and women.”

Again, your legislation simply was not necessary. Not only was it not necessary, but it was bad business as well. If I could refer to another independent piece of evidence, Paul Nykanen, vice-president of the Canadian Manufacturers’ Association, had this to say:

“It absolutely was a quota law. Call it what you may, but if you have to establish numerical goals within a certain time frame, that’s a quota law. It didn’t recognize merit and that the best person should get the job.”

I know it’s one thing that never came to any of the third party’s attention, but ask yourself this question: This is a global economy. How in the global economy do you go out there in the world and say: “Come invest here. By the way, you have two disadvantages that you don’t have in most areas of the world. Number one, you must survey your workforce. You must pay for it. You must bear costs that you’re not going to incur elsewhere in the world. Secondly, if you want to hire the best person, you can’t do it.” How can you be competitive when you have these types of rules?

To conclude, Bill 8 recognizes, in principle, two basic, fundamental human values: Number one, discrimination in any form for any purpose is illegal and immoral; secondly, merit is the only valid criterion for obtaining a job. Once this bill has passed, the law of Ontario will be that the best person will get the job regardless of race, sex, creed or colour. How could anyone argue with that? But I know you’ll try.

The Acting Speaker: Questions or comments?

Mr Curling: It tells me very much so that the previous speaker who just completed here has no sense at all of what’s happening in our society. He’s ignored all the studies and then come out with these stupid, old, independent views that, “This one said that,” ignoring all the studies that were done. It tells me what a sad case we are in now.

These people who are making the legislation are talking about equity—as a matter of fact, systemic discrimination is happening in our society—and then saying to us, “It doesn’t happen.” I want to him to go and tell the thousands and thousands of visible minorities who are qualified, who are shut out of the system and not able to have access, people who are engineers, people who are doctors, people who are lawyers, who are not able to participate.

What it has done is create a friction in our society. It has created a backlog. It makes good business sense to have qualified people in the system. You go on the basis that it’s all about merit. Yes, it’s about merit, but those who have the merit have been shut out because of the systemic discrimination that’s continued to happen, this status quo attitude of saying, “Let’s go back because it was wonderful and great, and all the studies that were done before, just ignore those.”

1650

But let us go back to the Canadian Manufacturers’ Association. One individual will say there’s no increase of racial discrimination within, that women are not being discriminated against, they have moved up 100%. If five women were there and they get five more, you may say they moved them up 100%, but that doesn’t say there’s no discrimination, the few who have gotten access.

I think you should first understand what systemic discrimination is all about, what employment equity is about. No wonder your legislation does not say anything, because you don’t understand what employment equity is about. You don’t understand about discrimination and racism that happens continuously in our society. When you do, then you can start writing legislation and address the issues that are of concern.

Mr Martin: I rise because of some comments that the member who just spoke raised. I know him to be a fine, upstanding gentleman, and I would assume that he is not saying that daughters of members or people in this province should not have the same opportunity as sons. I have two boys and two girls and, as a member of the previous government, I would not have participated as fully as I did in putting together a package if it did not see that all my children have equal opportunity in this province as they go out into the workforce and look for work and try to present their skills.

I quote for you from a paper I have that says this: “The act has been designed to encourage employers to recognize that many employment decisions intended to be based on merit are often based on non-job-relevant factors that tend to exclude certain groups. Therefore, it requires employers in Ontario to identify and eliminate barriers to employment and to ensure equitable access to opportunities for four sectors of the population traditionally disadvantaged in employment: women, racial minorities, people with disabilities and aboriginals. It does not compel employers to hire unqualified people.”

It was with that in mind, those principles underlying this piece of legislation, that I agreed to support it as a member of the previous NDP government, and it was keeping in mind that I have four children at home, as I said before, two of them girls and two of them boys. I wanted an equal playing field for them. I wanted them to have equal opportunity at using their skills and becoming citizens of this province who can participate and contribute in a positive way.

By the way, this quote is from a paper the Canadian Federation of Independent Business put out shortly after we implemented the previous Employment Equity Act.

Mr John O'Toole (Durham East): It's a pleasure to rise in support of my colleague from Wentworth North. I agree wholeheartedly with his comments. I appreciated his personalizing his story of ascent through society in Ontario. That's exactly what it's all about. It's through hard work and effort, and that really should be the method of all persons in this province.

To respond to the member for Riverdale, I felt very strongly that we did speak to the people of Ontario and repeatedly people said to us, "White males need not apply," and that sort of stigma attached to the bill was justified.

Mr Wildman: You didn't correct it, did you?

Mr O'Toole: I felt that signal was out there. The Ontario College of Art indeed published an article that said there was no necessity to even look at applicants from white male society. Those were the signals, those were the realities, and they were supported in Bill 79 by numerical targets with timetables and penalties, and that's a quota.

This government has no business forcing the entrepreneurial sector of this community in hiring decisions. They should fill positions based on merit and ability, especially key positions. Any other system of hiring would be what I'd call systemic discrimination. They had excluded a certain segment of the eligible population, and the history and tradition in Ontario was long established. In fact, it's entrenched in the seniority language in collective bargaining. If they were really sincere, that party would lead the charge to change the whole seniority clause issue within collective bargaining, which is part of systemic discrimination for people within the workforce. Our issue here is really encouraging people and employers to look to ascent through merit and ability.

Mr Wildman: I rise to comment on the remarks of the member for Wentworth North. As a long-time member of this House and a former member of the previous government, and as a father of three grown sons and one little girl, and also a person who served as the minister responsible for native affairs in the previous government, I would just say that my three grown sons are at the age when they are completing school and seeking employment. They faced all the challenges that all young men, and I would say also all young women, faced in the current recession, and they did not react the way the member for Wentworth North did, the comments that basically they were having difficulty because their little sister might have a better chance due to legislation that was designed to deal with systemic discrimination.

I would ask the member for Wentworth North to repudiate the remarks interjected by his colleague, I believe Mr Frank Sheehan, the MPP for Lincoln, when he interjected in response to a comment that was made that how could one argue there was no need for any kind of assistance, no need for anything to deal with systemic discrimination because, for example, aboriginal people face something like 80% unemployment in this country—and interestingly enough, they aren't even counted in the unemployment statistics. In response to that, the member for Lincoln, who was not sitting in his own seat, said, "And who's to say that they're even looking for work?"

Since that member has left and is not prepared to withdraw that remark—

Mr Stockwell: No, he's right there.

Mr Wildman: He's here? I would encourage him to withdraw that remark. If he isn't prepared to, I ask at least that the member for Wentworth North dissociate himself completely from those kinds of remarks and I would suggest that the government should do everything possible to dispel that kind of view about aboriginal people in this country.

The Acting Speaker: The member for Wentworth North, you have two minutes to reply.

Mr Skarica: I have two minutes to respond but I don't need two minutes. Basically, the government position and my position and any fair person's position is that the best person who's qualified to get the job should get it, regardless of race, sex, creed or colour. I've heard nothing to refute that and everybody agrees with that, and this law will make that the law of this province. That's the only response I need to make.

The Acting Speaker: Further debate? The member for Durham-York.

Mr Bisson: That's not the Liberal Party, Mr Speaker; that's the Conservative Party.

Mr Cordiano: I'm next.

The Acting Speaker: I apologize. The member for Lawrence.

Mr Cordiano: We of course do not consider the rump on this side of the House to be part of the opposition, and I'm sure those members would not want to be considered part of the opposition either, not after we've heard the various views from members of the rump on this side of the House. It's clear that they're part of the government and clear that they're part of the ideological revolution that has taken hold. The feeding frenzy continues on that side of the House and they would want to be part of that feeding frenzy.

To get on with this debate, I'm delighted to have an opportunity to make a few comments about Bill 8, which is to repeal the employment equity legislation that was in place, Bill 79, introduced by the previous government. The biggest failing of this government with respect to this piece of legislation and in fact this entire area we're debating today is the very fact—and I have to conclude this—that this government does not believe in real equal opportunity. I could conclude nothing other than that from what this government has done.

At the very least, this government should have introduced its six-point plan, the plan that was talked about during the election campaign, which stated various things: replace discrimination quotas with the merit principle; help employers develop plans to ensure equality of opportunity in their workplace and remove any systemic barriers to employment, particularly for persons with disabilities; show leadership by example through a policy of zero tolerance; help victims of discrimination faster by reforming the Ontario Human Rights Commission; improve Ontario's education and training systems to give all Ontarians the skills they need to compete in the workplace; and fight discrimination through the education

of employers and individuals through a crackdown on crime motivated by hate.

1700

We haven't seen any of these initiatives brought forward by the government in this six-point plan, so what in effect are they saying? What are they telling the people of Ontario? That there is no problem out there and that in fact we shouldn't worry, that discrimination will disappear, as the previous member said, and that the workplace has evolved sufficiently enough to look after itself. Well, that's wrong. I beg to completely differ with the government. There are problems out there, and I defy any of the members on the other side to say otherwise. You will find example after example of barriers to people who are trying to enter the workforce.

Again I go back to the report that was commissioned by our government, Access to Trades and Professions in Ontario, which the previous government failed to act on, which would have gone a long way to overcoming some of those barriers for various people who have come to this country and have brought with them high levels of skills and have the professional qualifications to be a part of the economy and to contribute completely to the economy of this country and this province.

I say to members opposite that you should urge the cabinet to move forward with those initiatives because that will go a long way to resolving the problem. Look, the province of Ontario has changed over the years. It is made up of many diverse people who bring with them from various parts of the world a variety of skills. In fact, the makeup of the province has changed with respect to those whose forefathers came here previously and also find that there are barriers to employment and barriers to succeeding in the province of Ontario.

I'm not standing here today and saying that no progress has been made. I believe a great deal of progress has been made. But to stop at this point is to do a great injustice to the progress that has been made, not only under the previous two governments but indeed the Progressive Conservative Party of the past. They made some progress on this issue, and for you to sit there and not allow any progress to be made on this, particularly when you've failed to introduce the six-point plan that was part of your election campaign—and every one of you who sits on that side of the House knows full well it was part of the platform you fought the election on. You very much believed in strengthening those provisions I talked about.

I say to you that Bill 8 simply will not do. It is a very terrible attempt to simply destroy what was there and not replace it with anything in its place. Therefore, I have to conclude that you are not for equal opportunity. That is basically the only logical conclusion you can come to, that you don't believe there is a problem. What other conclusion can we reasonably come to on this side of the House?

If you don't understand that there are some barriers that have to be overcome—of course, this is all too obvious for a government that is ideologically driven. They don't see the fact that there is a practical way the government can help to make the situation better, that the government does play a role in our society.

Mr Frank Sheehan (Lincoln): On a point of order, Mr Speaker: I'd like to apologize to the House and to the members for my interjection. It didn't come out the way I intended and I am sorry that I offended anyone.

Mr Cordiano: I think that certainly takes the sting out of that comment, and I think the member is right to withdraw his remarks.

To continue with my remarks, getting back to the main points of my speech, we're talking about a do-nothing bill that simply destroys. It's a do-nothing government with very little action that's positive. It's very negative. You're simply there to destroy what is in your way, and it's because you're so ideologically driven, because you don't see that there are some real problems that government legitimately must address, and that government should be an active player in the society we represent and in fact should have a role to play in facilitating what the private sector does.

Of course you don't believe that, from everything you've done thus far. Every statement that every minister has made in this House indicates very clearly that you see no role, absolutely no role, for a government to play in our society or in our economy. I think it's very clear at this point. You're withdrawing from every role that government has played in the past, not just playing a lesser role.

Government must facilitate what's happening in the private sector, must play a role, and part of doing that is to have employment equity principles and the principle of equal opportunity stand at the forefront of what you do. If you don't have that, my friends, we don't have a government that is attempting to further the progress that has been made by our society over the last number of years. You're taking us way back. You're taking us back to a time when all these issues were not even discussed in public, when all these issues were not considered to be a problem.

I go back to the previous member's statements, who said that the workplace has evolved sufficiently enough now that we shouldn't have to concern ourselves with these difficult issues. They are difficult; by their nature, they're difficult. When all is said and done, that is exactly what the member implied by his comments.

I think it's wrong, and I think it's wrong that the government, this government in particular, is withdrawing from so many areas and waving a white flag and saying: "Look, there were so many things wrong that we're not going to be involved any more. We're just going to pack our bags and take our marbles with us and go home, because we can't get it right." That's a poor excuse, because the economy, my friends, needs the government to play a role, needs the government to facilitate what's going on out there and making progress with the private sector.

If the government's going to respond as the Minister of Economic Development responded today, where he simply argues day after day that the government mustn't get involved in assisting companies out there in creating the opportunities that are necessary for the economy to flourish, then I say—

Interjection: What about the rest of them?

Mr Cordiano: Well, each of those ministers, the Minister of Culture, the Minister of Economic Development, a variety of other ministers who have stood up in this House. Even the member who's here today, the minister for Management Board secretariat, trumpeted the cuts that have been introduced in this House with great fanfare as he stood up to cheerlead the Minister of Finance for announcing that they've gone beyond what was estimated to be the cuts imposed by the July 21 statement of the government.

This government goes too far. It goes well beyond what is necessary to stimulate the economy to get it working again and to keep it on track with respect to creating opportunities, equal opportunities. A part of destroying equal opportunity is the introduction of Bill 8, the introduction of Bill 8 in the absence of something to replace what is being repealed. That is very much the role this government should be playing, introducing, at the very least, its six-point plan to replace what was there before it.

Our party has in the past had difficulty. We voted against Bill 79. Very clearly, we voted against Bill 79 because it went too far. It imposed a stiff fine on those companies that would not meet the provisions of Bill 79, and that went too far.

But I tell you, there is no reason for this act to have repealed Bill 79 in its entirety. You could have amended it. You could have replaced the parts that were not acceptable.

When all is said and done, again I have to ask the government why it is that it repealed the sections of the Police Services Act that applied under the previous government, having introduced those changes when we were the government to make the police departments of our province much more reflective of the larger society. In so doing, this act goes a great deal further than it should have and than it needed to go. This bill simply is unnecessary in its scope with respect to the degree to which this bill does away with all provisions for equal opportunity. Any regard for equal opportunity is done away with by this bill.

1710

I know the members sit in their seats on the opposite side of the House and are cynical about this, because they obviously do not agree with the fact that equal opportunity must be created, the fact that equal opportunity does not exist for everyone. They sit there and they snicker at the thought that someone would stand up in this House and say that equal opportunity must be something created by government, the private sector and the larger community; that everyone should be involved in creating a workplace that is free of discrimination, a workplace that invites the best candidates, and yes, truly is a workplace that counts the merit principle. That's what should be the case in Ontario today and that's what you have failed to provide in Bill 8.

Mr Douglas B. Ford (Etobicoke-Humber): The best candidate.

Mr Cordiano: I'm sorry. Bill 8 just doesn't do that. It just doesn't go far enough in promoting that principle. It just does not introduce anything with respect to the measures that were talked about in the election campaign. As a result, we will be voting against Bill 8 because it simply does not provide for the merit principle, as people who understand that equal opportunity needs to be created in this province. It simply falls very short of that lofty goal of creating equal opportunity.

I won't go into any additional statistics, because I will conclude my remarks very shortly by saying that the workplace isn't free of discrimination. The workplace hasn't met the expectations of all the people who want to enter the workplace.

My leader has stated in her comments prior to this that we would be voting against this—

Hon Cameron Jackson (Minister without Portfolio [Workers' Compensation Board]): That was two days ago.

Mr Cordiano: That was a couple of days ago, but one of the concerns we have with this as well is that it will create a great deal of cronyism.

I see that the Chair of Management Board is here today. I asked him a question in the House with respect to putting before this House a set of procedures that would ensure that any privatization would take place with a view to fairness, with a model in place to assure the House that there is accountability in place before any privatization takes place.

Part of that should be a consideration for hiring people with respect to equal opportunity, with respect to expanding the opportunities for all those people out there who would like that chance, to get a very well-paying job in a profession or in a trade or in some other capacity, working for government or other agencies that will now be privatized.

It's absolutely important that you do not pay lip-service to this and that you have some legislated mandates for those agencies, that you have legislation in place to assure the citizens of this province that cronyism will not see its way through to the hiring of employees in these agencies or these other private sector employers that will undoubtedly line up to partake in that privatization.

So at the end of the day, we will be not in favour of this bill because it fails, it falls far short of its intention with respect to equal opportunity. The six-point plan was never put before this House. It simply doesn't exist, and if it does, it hasn't been presented. We would like to have seen this before this bill came into effect, or in conjunction with this bill at the very least.

But we do not see that here today. We do not see that there is a commitment on the part of this government towards equal opportunity and assuring the citizens of this province that there will be equal opportunity in all the decisions that are taken by this government and in hiring policies in the workplaces.

Particularly, I repeat, the fact is that we will have greater privatization. It is very clear to us now that we will be seeing a great deal of privatization undertaken by this government. As a result, there's even more reason we

should have that principle of equal opportunity apply when hiring decisions are made. It's absolutely critical, because we know this great province of ours has changed and that the workplace has evolved and there are many people from diverse backgrounds who do not have the same equal opportunity to employment.

As a result, we need the government to lead not only by example but to motivate employers out there through some form of mandated legislation. I could agree with the six-point plan that was put forward by the government and I would be willing to go along with that, but you've made none of those provisions available. You've made none of those commitments. We see very little on the part of this government.

What we continue to see is the total destruction of what was built before and the chaos that ensues as a result of that. This government will find in the months to come, I predict, that there will be some difficulties dealing with all these issues, because at the end of the day this government fails to realize that equal opportunity is a basis and an underlying subtext for the entire community, and it's a principle which cannot be abandoned.

The Deputy Speaker (Mr Bert Johnson): Questions or comments?

Ms Frances Lankin (Beaches-Woodbine): I appreciate the remarks from the member for Lawrence, particularly the way he concentrated on what we don't have in front of us today, which is what you're going to replace the previous government's employment equity bill with.

One of the things I've found a bit frustrating during this debate is that the division of the space between the sides here in the House has really become like an ideological divide as well. I listened to the members opposite and I've come to the conclusion that there is a genuine belief on your part that the legislation contained quotas because of the way the fine was structured. I'm going to have to tell you I really disagree with that.

My understanding and my belief and my intent with respect to that bill and the support of the bill was to understand that systemic discrimination exists; that people's attitudes sometimes get in the way of their clear thinking; that sometimes people's off-the-cuff remarks are demonstrative of attitudes that you see in employers, and that those employers sometimes have that influence their decision-making; that it's not always the person with the greatest merit who gets the job; that sometimes those people, people of colour or people with disabilities or women or aboriginals, who have the merit to do the job are excluded from the opportunity of doing the job because of bias or systemic discrimination.

In the case of persons with disabilities, it may be the kind of workplace accommodation that needs to be made with respect to special equipment or the ergonomic design of the workplace that will allow them to become a productive member of our economy as opposed to perhaps being on social assistance or disability assistance.

I really believe there need to be programs that address the systemic discrimination as well as the overt and blatant discrimination. I think you missed the boat by not having those issues addressed in how you're proceeding on this bill.

I understand the ideological divide. I hope we will some day come together to understand the imperative of the discrimination that exists and the need to eradicate it.

Mr Ron Johnson (Brantford): I had the opportunity to speak to this bill yesterday, and I've just got a couple more comments I want to add today, in particular to some comments the honourable member for Beaches-Woodbine was just making.

During the election campaign, I knocked on a lot of doors in my riding and I heard the same thing from everybody: that this employment equity legislation was discriminatory. I can tell you that it wasn't just the white males who were talking about employment equity. It was the designated groups, the disabled, the visible minorities, all those people this legislation claims to protect; it was those very people who were telling Ron Johnson at the door that employment equity was racist and discriminatory against the very people it's supposed to protect.

1720

I want to quote briefly Cynthia Huston, president of the United Caribbean Canadian Association, who, on October 18, said: "Hiring should not be on account of race or country of origin. In fact, qualification is really where hiring should be based. The best person gets the job."

I can tell you, our government is moving quickly to restore the balance in hiring and we're also doing it with taxes, because the previous government drove jobs out of this province. They did it with high taxes, they did it with Bill 40, they did it with red tape and, yes, they drove jobs out of this province with employment equity.

Mr Curling: I actually want to commend my colleague from Lawrence, who understands the issue and addressed it in a very effective way. I hope you can go back and look at the Hansard and see the strategic way he addressed that issue and, hopefully, you will get a better understanding of it.

The Conservatives, it seems to me, are the only ones who knocked at doors in the election and had this response. Let me talk a little about the white male I met at the door who told me that they want the job, yes, because of merit, not because their father or their grandfather had the jobs before and opened the door easier for them. They would like to perform just because of their ability. They want employment equity also. That's what it's all about.

You have always treated this issue like it's only addressing minorities or aboriginal people or disabled or women. Employment equity is about all people in our society being able to participate in a fair and equitable manner. The fact is that they want that merit.

I put a challenge out—not much of a challenge. I suggest to those who may be listening beyond our walls here and who are within those designated groups to send their résumé to every single of those members; those who are looking for jobs and have sent thousands and thousands of résumés out and who are qualified, I would say, and somehow have been shut out of that system.

They want to participate. They have been shut out in a systemic manner: the way people advertise, the way they have access to buildings, the way they are promoted

and trained, all these aspects of things. I say to them, send your résumé to these members here. They may then get an idea that people are qualified out there, who want jobs and are shut out.

Mrs Margaret Marland (Mississauga South): I think one of the most significant aspects of the bill that Bill 8 is replacing is the fact that that bill had one aspect which was a total, absolute farce. A lot of the public in Ontario who felt that bill was going to be a help for the four identified groups simply didn't know what the bill contained.

In that bill there is a requirement that all employers circulate a form with boxes on it, and in those boxes, people were to identify which of the four designated groups they were a member of. It was mandatory that the employer distribute the form, it was mandatory that the employer collect the form, but there was no binding or legal requirement for the employees to complete it. Can you think of anything that is a bigger farce than that? I, as an employer, have fulfilled my obligation by distributing the form and collecting it, yet if I am an employee and do not choose to identify myself in any of the designated groups, I do not have to.

When you look at just that one aspect of what employment equity "was" in the eyes of the former government, you recognize that there really was not a sincere commitment to employment equity and making changes for those people in those four designated groups, because in fact there are people in all of those groups who do not choose to be identified. I voted against that bill when it came into this House and I'm very happy to vote in favour of this bill today.

The Deputy Speaker: Response?

Mr Cordiano: I listened to some of the comments and I thank my colleagues who agree with the positions that I've put forward and would say one final thing to government members, that they are failing miserably on this question and on the very simple principle of equal opportunity by not having put forward something that attempts to create more of an opportunity for people to break down the barriers, to break down the systemic barriers that exist, to do away with discrimination in the workplace. And not having brought forward your plan is an abysmal failure on the part of this minister, who's not here today, and on the part of this government. It will come back, I say, to be a problem in the future.

If you simply refuse to act on those initiatives which were part of your election campaign, then I think you have done a great injustice to the people of this province with respect to upholding that principle of equal opportunity. You cannot argue today that this bill will do anything. This bill does nothing. It simply destroys. It simply takes away. It does away with the bill that was there before.

Admittedly, that bill went too far, but I say to you that you should have replaced it. You should have replaced it with the six-point plan or something in the alternative, which would have understood and recognized that equal opportunity does not just happen, equal opportunity does not just exist, that the government has a critical role to play in creating equal opportunity for those who do not

have that opportunity. I defy any of the government members to stand up in this House and to suggest that equal opportunity will be created on its own.

The Deputy Speaker: Further debate?

M. Bisson : C'est avec un certain plaisir que j'ai l'opportunité ici aujourd'hui, comme député de l'Assemblée, de répondre à certaines questions, à certaines assertions qui ont été faites par les membres du gouvernement à travers le projet de loi 8 — on va lire le titre — Loi abrogeant le contingentement en matière d'emploi et rétablissant en Ontario les pratiques d'emploi fondées sur le mérite. Je pense que le titre a beaucoup à faire avec ce qui se passe ici aujourd'hui.

Ce que le gouvernement essaie de dire à travers tout ce processus-ci du projet de loi 8, c'est que la Loi 79 sur l'équité d'emploi qui a été mise en place dans la province de l'Ontario par le gouvernement de M. Rae a, de manière ou d'autre, mis en place un système que nous autres on comprend comme étant un système de quotas.

Il essaie de dire que la seule manière de laquelle une personne puisse obtenir un emploi dans la province de l'Ontario, avec cette loi, c'était si la personne était forcée dans la position par une loi, la Loi 79, et qu'on emploierait du monde qui ne connaissait pas leur sujet ou l'emploi pour lequel il avait été engagé.

Je veux dire très directement que c'est totalement faux. La Loi 79 a été mise en place pour aider les employeurs à travers la province de l'Ontario et les employés de ces employeurs-là à trouver un système où on peut s'asseoir, employeurs et employés, pour construire des comités dans nos usines, avec les employeurs ayant plus de 50 employés, pour être capable de regarder dans notre milieu de travail et dire, «Si on regarde dans ce milieu de travail, est-ce qu'on reflète ce qu'on trouve dans notre communauté ?»

Si on est employeur dans la ville de Timmins où la majorité du monde est un mélange de différentes personnes de différentes parties du pays et différentes parties du monde, est-ce que notre milieu de travail reflète notre communauté ? Par exemple, à Timmins on a environ 6 % à 7 %, 8 % de nos concitoyens et concitoyennes qui sont autochtones. Si on regarde dans le milieu de travail dans la communauté de Timmins, est-ce qu'on voit ce 6 % à 8 % ? Le comité regarde cette question-là, et si la question est non, pourquoi est-ce que ça ne le reflète pas ? Y en a-t-il des raisons ?

1730

Dans nos pratiques d'emploi dans nos usines, est-ce qu'il y a en place des barrages qui nuisent aux nouveaux employés dans nos communautés et qui sont autochtones et qui veulent être capables de trouver un emploi dans notre usine ? Est-ce qu'il y a des barrages ? Est-ce qu'on a regardé ? Est-ce qu'on a fait un peu d'«outreach» avec la communauté autochtone pour leur laisser savoir que, «Oui, on est un employeur de la ville de Timmins et possiblement, si vous, les autochtones, voulez demander un emploi dans notre milieu d'ouvrage, vous venez appliquer et sur votre mérite, sur votre classification d'éducation, sur votre connaissance de la job, dans une compétition avec tous les autres, si vous êtes aussi bon ou meilleur que l'autre, on vous engage.»

C'est tout ce que la loi dit. La loi n'a jamais dit : «On veut engager un électricien à la mine, et il y a cinq personnes qui ont fait application. Quatre personnes sont les garçons du monsieur qui a parlé tout à l'heure du Parti conservateur — des jeunes blancs, des hommes, anglais — et il y a une personne qui est, on va dire, autochtone, et si la personne autochtone qui applique a moins d'expérience, moins de connaissances que ces personnes-là et est choisie au-dessus ceux qui ont possiblement plus d'expérience, jamais la loi sur l'équité en emploi n'a dit ça. Jamais.

Pour le gouvernement de se planter ici aujourd'hui et dans ces débats nous dire, «Hé, la Loi 79 que vous, les néo-démocrates, avez mis en place a forcé les employeurs de la province de l'Ontario à engager des personnes dans notre usine qui n'ont pas de qualifications», c'est totalement faux, parce que la loi a été très claire. On va regarder ce que la Loi 79 a dit et on va regarder ce que vous dites dans la Loi 8.

Dans la Loi 79, le processus était bien simple. On l'a expliqué tout à l'heure. On met en place, si on est un employeur avec plus de 50 employés, un comité. Le comité regarde dans leur milieu de travail et dit, «Est-ce que les personnes qui travaillent dans notre usine reflètent notre communauté ?»

Si la réponse est oui, pas de problème, ça continue. Si la réponse est non, on se demande la question pourquoi ça ne reflète pas notre communauté. Est-ce qu'il y a des problèmes, et s'il y a des problèmes, qu'est-ce qu'on peut faire comme employeurs et employés, qu'il y ait un syndicat ou non, pour rectifier le problème ?

Est-ce qu'on a en place, quand on fait des annonces pour engager nos employés, qu'on a été voir dans la communauté autochtone autour de notre municipalité ? Est-ce qu'on a parlé à nos collègues pour voir ? «Écoutez, au collège vous avez des étudiants qui y passent. Laissez savoir aux étudiants du Collège Northern, dans un programme autochtone, si vous voulez appliquer pour une job ici à notre moulin ou ici dans notre mine, on est prêts à prendre ces applications-là. Laissez savoir au monde dans la communauté que c'est correct d'être autochtone et d'appliquer pour une job dans cette usine.»

Quand cette personne-là applique, la personne est engagée seulement sur un principe : la capacité de faire la job dans une compétition avec tous les autres. La Loi 79 d'équité en emploi n'a jamais forcé l'employeur à dire, «Je prends une personne moins qualifiée parce que la Loi 79 me dit de prendre la personne désignée qui a moins de qualification.» Ça n'a jamais dit ça.

Pour les députés de cette Assemblée de se planter debout — même le Parti libéral s'obstine un peu sur le même point — et dire qu'on engage du monde sans fondement de mérite, c'est totalement faux.

J'ai vite écouté le commentaire qui a été fait par M. Johnson, le député de Brantford, qui a dit, «Aux élections je me suis promené dans ma communauté et fait du porte-à-porte et le monde m'a dit, "Il y a un problème," et quand j'ai cogné aux portes, ils ont dit, "Je ne peux pas avoir une job à cause de la Loi 79."»

Parce que le monde nous dit quelque chose, est-ce que ça veut dire que c'est vrai ? C'est toute la base du problème qu'on a dans la société. Beaucoup de fois, dans notre société on commence des cancons. On commence des attitudes à travers nos discussions avec le monde. On a assez des fois, sans le vouloir même, de commencer à bâtir des préjugés de certaines situations, de certaines personnes.

Ce que la loi sur l'équité en emploi essaie de faire, comme autres mesures qui ont été mises en place par un autre gouvernement, les Libéraux, les Conservateurs, le gouvernement de M. Davis, et avec le gouvernement fédéral, c'est de mettre en place des programmes qui font une éducation populaire pour être assez capable de diminuer les barrières qui sont existantes, pour les employés d'être capables de trouver un emploi dans certaines situations, donner la chance au monde de faire la compétition dans notre économie d'une manière égale avec tout le monde d'autres. Et pour dire que c'est seulement parce que quelqu'un me le dit à la porte, ça ne veut pas dire que c'est vrai. Je peux vous dire, je m'asseyais comme membre du gouvernement quand la loi a été mise en place. J'ai écouté M^{me} Marland, j'ai écouté M. Stockwell et autres —

Mrs Marland: On a point of order, Mr Speaker: I think it's appropriate for the person who has the floor at the moment to use our names by riding only and not refer to us by name.

M. Bisson : Okay, pas de problème. J'ai écouté. Je prends le point très sérieusement de la députée de Mississauga-Sud.

J'ai entendu d'autres membres du Parti conservateur dans le temps qu'ils étaient à l'opposition. J'ai écouté ce qu'ils disaient au bord ici de la Chambre, ce qu'ils disaient quand ils étaient à l'opposition. Ils ont essayé de bâtir un cas contre l'équité d'emploi, bâtir sur des faussetés.

Oui, il y a du monde qui écoutait ça à la télévision chez eux, comme le monde écoute aujourd'hui, et il y a du monde qui écoutait à travers vos publications que vous avez mises à travers, votre document du Common Sense Revolution et d'autres. Il y a du monde qui ont voulu croire que ce que vous dites est vrai. Puis, il y a du monde qui l'ont répété, mais juste parce qu'ils l'ont répété, ça ne veut pas dire que c'est vrai.

Ce que je trouve vraiment difficile à accepter avec la Loi 8, qu'on met en place aujourd'hui, c'est droit dans le titre de la loi, qu'on essaie de dire dans la loi qu'il y avait un système de quotas et qu'on a engagé du monde en Ontario basé non sur leur mérite mais seulement sur ce qu'ils nous ont dit dans la loi.

Moi, je vous demande d'aller demander à vos employeurs dans vos milieux, chez vous dans vos comtés, parce que moi, je l'ai fait. Je me suis assis avec mes employeurs quand on a mis ces lois-là en place comme autres. Jamais un employeur ne m'a dit, «Gilles, il faut que j'aie engagé quelqu'un non qualifié à cause de ta loi.» Très au contraire.

Est-ce que c'était difficile pour les employeurs à accepter ? Oui. Est-ce que c'était difficile pour le monde

dans ces usines-là de l'accepter ? Oui, parce que quand on essaie de changer des attitudes, c'est toujours très difficile.

On a beaucoup d'exemples à travers notre histoire ici en Ontario, comme ailleurs, où on a eu des problèmes ou que certaines personnes faisaient face à la discrimination, et on savait que c'était mauvais dans le temps.

Par exemple, moi je me rappelle les années 1950-1960, où les femmes essayaient d'entrer on va dire dans une université pour devenir avocates. C'était pas mal difficile, hein ? Si on était une femme qui voulait aller à l'université pour devenir avocate, il y avait toutes les barrières en place, toute une attitude de la part des avocats, des juges, des universités, des profs et des autres étudiants qui étudiaient pour devenir avocats, qui empêchaient les femmes d'entrer dans des écoles pour devenir avocates.

Ce qui est arrivé dans le passé, c'est que les universités, sous le gouvernement conservateur de jadis en Ontario dès 1960, et je me le rappelle bien, ont dit : «Écoute, ce n'est pas juste, ça. Il y a eu des débats dans l'Assemblée. Regardez le bulletin de Hansard.» Les universités à travers la province, l'Université de Toronto et les autres, ont mis en place des programmes qui sont allés bien plus loin que la Loi 79 n'a jamais fait. Ils ont mis ce que vous autres appelez des quotas. Ils ont dit qu'il faut que ces universités-là font entrer les femmes dans un programme pour devenir avocates, parce que ce dont on avait besoin de montrer aux jeunes femmes de la province de l'Ontario, c'est que c'est correct d'être femme et de vouloir devenir avocate.

Quand assez de femmes seront entrées dans une université et seront devenues avocates, on va avoir des personnages dans notre communauté qu'autres jeunes femmes pourront regarder et dire, «Moi aussi je le veux.» Plus important, la clientèle des avocats à travers la province de l'Ontario qui auront besoin d'aller voir des avocats commenceront à avoir des avocates, puis ils diront : «Ce n'est pas si pire que ça. Les femmes, c'est aussi bon.»

Sur une période d'une vingtaine d'années, bien proche de 30 ans à ce temps, on est au point aujourd'hui où les universités, sans programme d'équité, sans programme de mesures positives, ont plus de femmes qui entrent dans l'université pour devenir avocates aujourd'hui qu'on a d'hommes. Pourquoi ? Parce que les programmes du passé ont montré pas seulement aux femmes que c'était correct et qu'elles en étaient capables, qu'elles faisaient de bonnes avocates. Plus important, ça fait l'éducation de moi, de vous, de nos parents, de nos voisins, de nos confrères, de nos consoeurs.

1740

Ça a montré que c'est correct pour les femmes de devenir avocates, qu'elles sont aussi bonnes, et nous, on est venus au point où on l'accepte. On peut prendre cet exemple-là à travers beaucoup d'autres professions, non seulement dans cette province mais à travers le pays. La seule manière à combattre la discrimination, c'est de donner l'opportunité aux personnes qui sont discriminées d'atteindre un emploi dans le métier qu'elles veulent, et elles deviennent les modèles pour démontrer aux autres que c'est correct, que c'est aussi compétent, et qu'à la fin

de la journée il n'y a rien d'injuste, et avec le temps là-dessus le monde change.

Plus important, on regarde dans notre Assemblée-même. Il y a beaucoup de femmes ici aujourd'hui dans notre Assemblée, pas autant que dans les autres législatures, mais il y a des femmes qui siègent avec nous. On a des personnes de minorité visible —

Mrs Marland: Nineteen out of 130.

M. Bisson : Mais c'est ça le point. Ce que dit Madame la députée de Mississauga-Sud est correct. Dans le passé, laissez-moi expliquer, on avait une situation que les seules personnes qui rentraient dans cette Assemblée, c'étaient des hommes qui étaient blancs, anglophones et qui avaient de l'argent. C'était la qualification. Et avec le temps on a eu du monde qui ont eu l'audace de se présenter comme candidats pour entrer dans l'Assemblée provinciale : des femmes, des travailleurs, des personnes de minorités visibles. Et, ce qu'il est arrivé, après un bout de temps il y a eu ceux qui ont été élus puis il y eu des femmes et d'autres personnes désignées qui sont venues à cette Assemblée et qui ont fait une job qui est excellente, qui ont représenté leur comté de la meilleure, de la plus supérieure façon possible, qui ont démontré à toute l'Ontario et à tous les membres de cette Assemblée que oui, c'est correct d'être différent, et vive la différence. Et c'est même bon.

On peut démontrer que ces personnes-là, ces femmes qui sont venues avant vous, elles ont fait la job. Et aujourd'hui, quand on a une élection et qu'une femme est élue ou se présente dans un comté, ce n'est pas une grosse surprise. On l'accepte parce qu'il y a eu des personnes courageuses avant nous autres qui ont eu l'audace d'aller contre le système et de démontrer que c'est important de mettre en place les modèles qui sont nécessaires pour montrer au peuple que la seule manière dont on change le système, c'est en mettant des situations en place où le monde peut voir que c'est correct.

I'll switch to English here because there's a text I have. It's a guide to the Employment Equity Act and it speaks to a case that was before the Supreme Court of Canada in regard to Canadian National, CN. I want to say this because I think it demonstrates what the situation is. The courts dealt with the issue long before you and I dealt with it as legislators, because people in our country have gone to the courts because of systemic discrimination in the workplace and have asked the courts to rule on questions where they felt there was discrimination. The Employment Equity Act, Bill 79, that we put in place was very much based on what had happened in experiences in the past and what had happened in regard to decisions in the Supreme Court and other courts across this land.

What happened in this particular case is that CN used to not allow women, through practices of discrimination it had in place, to be successful candidates in specific jobs within CN. Specifically, one of the jobs was the position of coach cleaner within the CN line.

Interjections.

Mr Bisson: Just give it a couple of seconds. Let this unfold and you'll understand what I'm getting at here.

What had happened was that CN needed people to clean its coaches, and just because of the history, because of the way things were in the past, the only people who got hired in those jobs were men. Why? Nobody knows.

Mr Tony Silipo (Dovercourt): Black men.

Mr Bisson: Yes, it was black men in this particular case. But why? Who knows why? It was set up. It was just something that happened, and I don't think CN at the time did it because it was trying to do anything wrong. It was just the way things were.

Along came a number of women who applied for these jobs, and they were denied. Finally, one woman had the courage to bring CN to court because she was not given an opportunity for employment in a job that she felt she had qualifications for.

At the time there were no employment equity laws, no positive measures in place on the part of CN, no affirmative action programs or anything to give this woman at least the opportunity to apply for a job, to be interviewed and to be judged on her own merit. Finally, this woman pushed it to the point that actually they had to interview her, and because they didn't hire this woman, she took the company to court.

When they took the company to court, the court found the following—and I'm just going to read a few of the practices CN put in place to make sure that women did not get hired: the way they put together the interview program and the limitations they put on the job that were specifically put there to eliminate women from the competition.

They found that the use of mechanical aptitude tests for coach cleaner work were put in. In other words, when you applied for the position, even though you were a cleaner, you were asked to write an aptitude test on the mechanics of the train, what happens underneath the train, not on cleaning rugs and cleaning chairs and emptying ashtrays. They wanted to know how much you knew about trains, how much you knew about the underside of the trains and the brakes underneath the train and the engine in the front and what kind of fuel it uses. That has nothing to do with the job of cleaning it. You're not asking the person to be the mechanic. But one of the things they did to get around women applying was put a test in place that most women did not have an opportunity to pass because they had never worked on a train before.

One of the other things they did, and this is an interesting one, was put a requirement in the posting that the successful applicant be able to lift a brake shoe with one hand while jumping on to the train. The person who ever got the job would never lift a brake shoe in the entire life of working on that train. It had nothing to do with the job, but it was put there—why?—because most women were not able to pick up with one hand a brake shoe that probably weighed 50 pounds or 60 pounds and jump on to the train at the same time. I could. I imagine a lot of men around this assembly could, but most women could not.

Mr Stockwell: I don't think you could, actually.

Mr Bisson: They're saying I couldn't, but I can tell you, I can.

Mr Stockwell: I don't think you could pick up a brake shoe and stand still.

Mr Bisson: I might not be able to jump on with one bounce.

Mr Stockwell: I don't think you could get on with nothing in your hands.

Mr Bisson: You're probably right, my friend from Etobicoke, I probably can't bounce on with one jump.

The other thing they asked for was that the person who came on to clean the coach had to have welding experience to get the job as a cleaner. Most women back then, when this court challenge was put in place, didn't have experience welding, and if they did, I can guarantee you they weren't applying for this job; they'd be applying for a job as a welder. None the less, this was something the employer required for the person to get the job.

What I'm saying here is that the employer, over a period of time, because women were starting to apply for the position and they found themselves in a position of being kind of sheepish and having to say no to qualified women they didn't want to hire, changed the game in order to exclude women.

Mr Stockwell: Right.

Mr Bisson: The member says, "Right." Is that right? No, it's wrong.

So what happened was that the Supreme Court heard the case, and I'll just read a couple of points out of here because I think it's pretty relevant. The court looked at that and turned its attention to, what is systemic discrimination? I'll just read from here:

"Discrimination that results from the simple operation of established procedures of recruitment, hiring and promotion, none of which is necessarily designed to promote discrimination...the discrimination is then reinforced by the very exclusion of the disadvantaged group because the exclusion fosters the belief, both within and outside the group, that the exclusion is a result of a natural force, for example, that women just can't do...."

So the courts recognized way before we ever did in this assembly that there are practices out there that are discriminatory, that do not allow women and other disadvantaged people to apply for those positions, and they remedied the situation. In this particular case, they not only forced CN to hire that woman but actually put in place a quota system within that employer. They said, "You have to enter into a program of positive measures to give women the opportunity to get a job so they can demonstrate to others that they're able to do it."

Those quotas aren't in place any more, but I can guarantee you, the women who have gone into that job and have been in it ever since have given the opportunity that every woman knows it's okay to apply for those jobs. Eventually we're in a position where I would think there's probably very little opportunity for the employer to discriminate in a situation like that.

Why is employment equity necessary? Quite simple this: Employment equity is necessary so that we as a society, through processes of both education and practice, can show people that it's okay for anybody within our society, no matter what their background might be, no

matter what their race might be, no matter what their language might be, to apply for that job and you should not be discriminated against on the basis of who you are or where you come from.

That's what employment equity tries to do, but what we never did in employment equity—and I repeat again, never did we, as is inferred in the act under Bill 8, put in place a system of job quotas or a practice that excluded people from being hired on the basis of merit, because it was never intended—it was never even written that way. So I think the members opposite are being pretty darn negative, are being pretty misleading in regard to this bill and what they're telling the people of Ontario.

1750

I also want to turn to something very quickly as well. I sat here this afternoon listening to one of the Conservative members in debate give his reasons why he was voting for Bill 8, and I've got to respect, the member has his right to his opinion. He got elected. The people of his community, by majority, said, "I want that person to be my representative," and we need to recognize the democratic right of those people to choose their member.

He went on to describe how he felt—now, I shouldn't say how he felt, but how some of his constituents and some people in his own family had told him that this Employment Equity Act was an Employment Equity Act that really put young males at a disadvantage in being able to get jobs.

But I want to remind people that one of the things that we went through and we're still going through in this province, as is the rest of the country, is a recession. There are many people across this country and this province who have had difficulties getting a job, not because of employment equity but because of what's happened in the economy. I would guess that it's probably going to get worse, unfortunately, because of some of your measures.

But what really distressed me, as he was citing examples of how there was not a problem within the employers of Ontario, the member for Algoma, my good friend Mr Wildman, said, "How do you explain, then, that 80% of aboriginal people in Ontario who want to work, who are looking for a job and who can't get in because of all kinds of reasons, don't have employment?"

And what really was disenchanting and what really was upsetting, the member for Lincoln, the Conservative member—

Mr Stockwell: He already withdrew that.

Mr Bisson: He withdrew, but I want to make the point none the less. The member for Lincoln stood in this House, and his response to his comment was, "Who says those people are even looking for work?"

Mr Stockwell: Well, what do you want to do? He said he didn't want to offend anybody. You've got to bring it up and deal with it again. That's why you're a first-class individual.

Mr Bisson: Well, I think that is part of the problem. I want to come back to what the member for Brantford said, because I think the comment—and I'm sure that he didn't do that—

Mr Stockwell: The member withdrew it.

Mr Bisson: I'm sure, because the member withdrew it, he really didn't want to be inciteful. I have to believe that, although I have a bit of a hard time. But I imagine he really does not want to be inciteful. But I just want to use this, because it comes back from the member for Brantford. The member for Brantford turned around and said, "I went knocking at doors and everybody told me the same thing so it must be true."

Well, I come from northern Ontario, and many people in northern Ontario unfortunately have some of that attitude that was demonstrated in the House this afternoon. It's because of attitudes like that that many aboriginal people in northern Ontario are unable to attain employment, because those attitudes have been perpetuated time and time again, year in and year out, to where we have people in positions of management, we have people in this Legislature, as we have people on the shop floor, who truly believe that the comment made by the member for Lincoln is true.

That's the problem. That's what the root of all this is all about, that we've built up a great big myth and a great big lie—and I'm not talking about members of this assembly; within our society—about who people are and what they are and what they can do. We've all heard the jokes about one nationality or another is not good at doing a particular job or another nationality is better at doing another job, and somehow people believe it.

I think that's how we have to rise to the occasion, not only as legislators but I think as people, as community leaders in our province, to be able to fight that whole notion of discrimination by trying, when people are saying falsehoods like that, to take our responsibility and say: "Hey, is that so? Because it ain't."

I just want to close on this particular point and to say that I most definitely will be voting against Bill 8, as I feel that this bill is wrongheaded, this bill goes far beyond whatever was done in Bill 79, it backs up legislation far beyond that point and I completely disagree with where the government is going in regard to this particular piece of legislation.

The Speaker: Any questions or comments?

M. Jean-Marc Lalonde (Prescott et Russell) : En réponse à mon collègue de Cochrane-Sud, j'aimerais apporter que la loi d'équité d'emploi, la Loi 79, avait définitivement ses bons côtés et aussi ses méchants côtés. Cette loi avait pour but de donner la chance aux minorités de se faire valoir, surtout chez les côtés de la dame.

There's one thing that I could remember. I was a director of an operation and one day I had a meeting with my managers and I told them to make sure that we prepare our backup to take over whenever the management are leaving and the supervisors. The answer that I got at that time is, "I just can't, Mr Director, because I only have women on my staff." Immediately, I started to look and said, "Well, Bill 79 could have its good side of it."

What I'm looking at today is this bill definitely stimulates women to go back to school, to go back to study, and also to come up in the rank of management. But this bill today that we're about to pass, I don't see

any places in that bill that refer to training, proper training to give a chance to the minority, especially the women. I would have loved to see that in that bill, that we encourage the private sector and also the public sector to give the proper training to the people of the minority groups. In this bill, I just can't see that at any place.

Donc, ça m'a fait plaisir de vous adresser ces quelques mots. J'espère que dans le futur on va prendre en considération que la dame sur le marché du travail peut rendre de grands services à nous, Ontariens et Ontariennes, et qu'on continuera à encourager les minorités dans les organisations ou ici.

The Speaker: The time has expired. Any further statements or comments? Seeing none, Mrs Mushinski has moved second reading of Bill 8.

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. It'll be a 30-minute bell. The whips can come in in five.

The division bells rang from 1757 to 1804.

The Speaker: Would members take their seats, please. Will the member for Downsview please take her seat.

All those in favour of Ms Mushinski's motion will please rise one at a time.

Ayes

Baird, John R.	Hardeman, Ernie	Rollins, E.J. Douglas
Barrett, Toby	Hastings, John	Ross, Lillian
Bassett, Isabel	Hudak, Tim	Runciman, Bob
Brown, Jim	Jackson, Cameron	Sampson, Rob
Carr, Gary	Johns, Helen	Saunderson, William
Carroll, Jack	Johnson, Bert	Shea, Derwyn
Chudleigh, Ted	Johnson, David	Sheehan, Frank
Clement, Tony	Johnson, Ron	Skarica, Toni
Danford, Harry	Kells, Morley	Smith, Bruce
Doyle, Ed	Klees, Frank	Snobelen, John
Ecker, Janet	Leadston, Gary L.	Spina, Joseph
Eves, Ernie L.	Marland, Margaret	Sterling, Norman W.
Fisher, Barbara	Martiniuk, Gerry	Stockwell, Chris
Flaherty, Jim	Maves, Bart	Tilson, David
Ford, Douglas B.	Munro, Julia	Tsubouchi, David H.
Fox, Gary	Newman, Dan	Turnbull, David
Froese, Tom	O'Toole, John	Vankoughnet, Bill
Galt, Doug	Palladini, Al	Wettlaufer, Wayne
Gilchrist, Steve	Parker, John L.	Witmer, Elizabeth
Grimmett, Bill	Pettit, Trevor	Young, Terence H.

The Speaker: All those opposed will please rise one at a time.

Nays

Agostino, Dominic	Cordiano, Joseph	Martin, Tony
Bisson, Gilles	Curling, Alvin	McLeod, Lyn
Boyd, Marion	Kwinter, Monte	Phillips, Gerry
Castrilli, Annamarie	Lalonde, Jean-Marc	Sergio, Mario
Churley, Marilyn	Lankin, Frances	Silipo, Tony
Colle, Mike	Laughren, Floyd	Wildman, Bud
Cooke, David S.	Marchese, Rosario	Wood, Len

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 60; the nays 21.

The Speaker: I declare the motion carried.

Shall the bill be ordered for third reading?

Hon Mr Eves: No, standing committee on general government, please.

The Speaker: So ordered.

INVESTMENT FUNDS

The Speaker (Hon Allan K. McLean): Pursuant to standing order 34, the question that this House do now adjourn is deemed to have been made. The member for Wilson Heights has given notice of dissatisfaction with the answer to a question given today by the Minister of Economic Development, Trade and Tourism.

The member has up to five minutes and the minister has five minutes to reply.

Mr Monte Kwinter (Wilson Heights): The reason for my dissatisfaction with the response that I got from the minister is that this is an issue of natural justice. It has nothing to do with party philosophy. It has nothing to do with party mantra. It has to do with the ability of the citizens of Ontario to have faith and trust in their government.

I want to preface my remarks by telling you that in the case that I mentioned I don't know the people. They are not in my riding. They are in a riding actually held by a member of the government side. But their case is so compelling. I should also state that since I made the statement today in the House, I've had several other people call me saying they are in exactly the same position.

I think it's important that the minister understand what we're talking about. He doesn't have to look at his briefing books. It has nothing to do with your briefing books. It has to do with common sense. As a member of a community and a man that he knows I respect, it's something that begs for fairness and equity.

A small employer who has 35 employees and has been in business for 22 years applied to the Innovation Ontario Corp, which has as its mandate to provide investment funds for high-tech companies that are export oriented. This company met all of the criteria. They applied. They got involved in substantial expenses with their lawyers, their accountants, to make the commitment. The government had every right to say, "Sorry, we're not going to do it." I have no quarrel with the minister's statement earlier today about cutting—I have no problem. I don't agree with it, but I have no problem. That is something that you have the right to do.

1810

But what you don't have the right—and I maintain this and this is where I really feel strongly that this government has dropped the ball: The board of directors of Innovation Ontario Corp approved this investment. They had all the documentation. They spent months negotiating. They approved it. They approved an investment that was going to get them a 25% return if they ever had a buyout, and they conveyed that information to the company.

I can tell you that if a government, the government of Ontario, through its agent, the board of Innovation Ontario, calls you and says: "It's been approved, no problem. We have to do the paperwork, but that's just a rubber stamp. You've got it"—so they went out and they placed an order for equipment that would make them globally competitive. They put deposits of \$100,000 down and were proceeding to go about their business, when we have a new government that says, "Sorry, we are not going to honour that commitment."

What have we got? We have a company that in order to salvage its \$100,000 had to complete the purchase of the equipment, using operating funds to a tune in total of \$400,000. This has put them in a very, very serious condition. They've had to let one of their research people go. They are literally hanging on by their fingernails.

It would seem to me that in a province that prides itself on fairness, on common sense, you would say: "You know what? We are not going to honour this commitment in the future. We're not going to give money to people, but you acted in good faith, you were told it had been approved, you went out and you made this investment," and to suddenly say to them, "Sorry, too bad, that's your problem"—the other thing that happened of course, and this is something that has been documented, when they went to see the minister to tell him their plight, he said two things: First of all he said: "Well, it's not in writing. We're not going to honour it." I can tell you, as someone who has been in the investment business, as the minister has been, millions are traded on a word. If someone calls up and orders securities and they're known to the broker, the order is put through.

When I was the minister, I gave Ford my verbal commitment that we would support them to put the van plant and the paint plant into Oakville. There wasn't a piece of paper that changed hands. They went out. They made the pitch to their head office, and they got it. I did exactly the same thing with Goodyear in Napanee.

Here is a small company that has been doing its business, it's in Prince Edward county, which has very little in the way of this kind of thing, and they are being put in jeopardy and they are being put in jeopardy by a government that has reneged on a commitment.

Hon William Saunderson (Minister of Economic Development, Trade and Tourism): I'm very happy that the member for Wilson Heights has raised this again, because I think it gives a chance to clear the air about a lot of things.

The first thing I want to say to him is that I think he's been a bit misled by what he has learned from this company. Yes, we did have a meeting, but I can tell you that the advice that we received is that this was not a legally binding arrangement, and because of that and because of the situation that the government found itself in, it was decided that these types of arrangements could not proceed because they were not legal commitments.

Mr Joseph Cordiano (Lawrence): That's nonsense.

Hon Mr Saunderson: No, it's not nonsense; it's very true. I think it's important to listen to this.

The point is that if we do not pay attention to the situation in this province that we've found ourselves in when we took over, that we would not be able ever, ever to give any help. Our total debt—

Mr Kwinter: Answer the question.

Hon Mr Saunderson: I'm answering the question.

The reason why we can't do what we would like to be able to do is because by the end of this decade, we will be paying, if things kept on going the way they were, \$20 billion a year to service our debt, and that's just prohibitive. So we had to make the decision of what to do.

In the minister's statement on July 21, he said projects were frozen that were not legally committed, and he was right to say that. By doing that, in the long run we will have the money and the ability to help causes that need help, but I don't believe that businesses should be given grants—

Mr Kwinter: It wasn't a grant; it was an investment.

Hon Mr Saunderson: —or an investment should be made in business. It should not happen. You did it when you were in power, I know that, and the NDP did it.

Mr Kwinter: And the Conservatives did it for about 42 years.

Hon Mr Saunderson: Yes, well, this is a new Conservative government we have now. This is a new Conservative government which is applying good fiscal principles. We cannot keep on doing what we have been doing. You, when you were in power, your party, and the third party, tried to be all things to all people. You cannot do that, and therefore we have proposed a number of changes.

I'm disappointed about that company, because if that company was wise it would stay in Ontario and experience the good economic climate that we are going to generate over the next few years. It's going to happen because there will be no employer health tax on payrolls of under \$400,000. That would apply exactly to that company that you're talking about, and I think that alone would make them want to stay.

The personal tax rates are going to be reduced by 30%. That's again another way that we will be helping, particularly the company to which you were referring.

Hydro rates will be frozen for five years, and that gives some predictability to that company again, knowing what it will be operating under.

Workers' compensation rates will be reduced by 5% and the board—

Mr Cordiano: That's not an issue.

Hon Mr Saunderson: Yes, it's an issue. Listen to me, because we want to establish the proper climate for this province, and we're doing it with what I just said.

Mr Cordiano: You're sending out the wrong signals.

Hon Mr Saunderson: No, we're not sending out the wrong signals. I have been told that all businesses are applauding what we are doing.

The Speaker: The member for Lawrence is out of order.

Hon Mr Saunderson: Yes. I have met with 15 sectors of businesses and they have all said: "Keep on

doing what you're doing. Don't blink. Business does not need grants from government."

Sure, if there's free candy from your party, free candy being offered by the third party, then everybody takes the free candy. It makes sense but it's not right, and that's what we are not going to do. There will be no grants to business and that's why the statement was made today.

All I can say is that I appreciate the opportunity to rise in this House this evening and make a statement once again that when the climate is right in Ontario, then we will be able to do things that we have not been able to do recently. But I believe that 725,000 jobs will be created and I'm sure you will applaud us because your economy will be better and you will all be better for it.

MUNICIPAL FINANCES

The Speaker (Hon Allan K. McLean): Pursuant to standing order 34(a), the member for Cochrane South has given notice of dissatisfaction with the answer to his question given by the Minister of Municipal Affairs and Housing concerning the impact of provincial cutbacks on local property taxes.

The member has up to five minutes and the member from the government, the minister or the parliamentary assistant, will have up to five minutes to reply.

Mr Gilles Bisson (Cochrane South): I take it, Mr Speaker, it will be the parliamentary assistant, as the minister is not able to be here.

I asked a very specific question here in the House a couple of days ago. The question was very simply this: We know that the government is intent on balancing its budget over a specific period of time. To do that, we understand that it's going to take a lot of cutting on the part of the Mike Harris government, which will result in probably over \$10 billion of expenditure reductions over the next couple of years to be able to achieve their goal.

I pointed out to the minister that in the Common Sense Revolution, the document that was held close to the hearts of all Conservative candidates and especially those who were re-elected, there were two specific promises made.

The first promise was that they were going to put an end to unfair downloading, that they did not believe the provincial government should offload its problems on to municipalities across the province of Ontario. They made a specific promise, the promise in the Common Sense Revolution, that they would not offload their problems on to the municipalities.

They made a second promise and they said, and I quote from the Common Sense Revolution, that they will work "to ensure"—and the key work here is "ensure"—that any actions they take as a government "will not result in increases to local property taxes."

1820

So my question to the minister was a very simple one. I said, in light of the cuts you're making as a provincial government, we are now hearing from municipalities across the province that with the cuts you're going to offload on them, that they know are coming, they don't see any kind of adjustment program, they don't see any kind of initiative on the part of the provincial government

to help them deal with how not to pass on those cuts to their property tax owners.

I find it very ironic, because the very people this government speaks to are the people in the suburbias across Ontario, those men and women working hard to pay off their houses, working hard to raise families in places like Burlington, Mississauga, Scarborough, Ottawa, Timmins and other communities. These are the people I would think the Conservatives want to protect, but they're the ones who are going to get it stuck right in the ear, because the minute you start to cut your transfers to the municipalities across the province, it will result in an increase in property taxes to those very same homeowners you purport to represent in this House.

The minister said in his response: "Oh, don't worry. We're going to find ways that they can cut services. We'll work with them. I've talked to the Ontario Municipal Association and we'll sort of just work our way through this and there won't be any increase in property taxes." I've taken the time as the critic of Municipal Affairs for the New Democratic Party of Ontario to contact municipalities across the province, and I asked them directly: "What do you hear coming down the tube?" They say, "We are hearing a 20% reduction in all our transfers from the provincial government, that this Conservative government wants to go to block transfers and anywhere from 20% to as high of 40% of the funding now enjoyed by municipalities from the province will be cut." And the question to them was, "All right, what do you plan to do to be able to offset that?" And they say: "Heck, there's not a whole bunch we can do. We will cut a whack of services across this province. But even with cutting services, we envision having to raise property tax assessments to the homeowners in our municipalities."

One of the officials of North Bay, Mr Rogers, said in the North Bay Nugget that he expects it might increase around at least 8%. The city council of Timmins has worked hard with the leadership of Mayor Power and others to make sure they don't increase the property taxes of our citizens in the good city of Timmins, but they fear that cutting services will not be able to offset the cut in transfers that you're bringing and you're going to piggy-back on top of that the cut in transfers that the federal government is passing on to you, that they will have to raise property tax assessments not only to the homeowners but to the businesses across our community.

So I ask the minister, very simply, how do you plan, in light of what you promised in the Common Sense Revolution, to prevent municipalities in this province from increasing property taxes? You've promised it in the Common Sense Revolution. The key word was "ensure", a pretty strong word—"I will ensure" is what it says—that property taxes will not be increased on the backs of the working men and women in the communities across Ontario through property tax assessment.

All the minister can say is, and I quote his answer to me the other day: "Municipalities need to make these decisions. We have no jurisdiction in this matter. Hopefully they'll be able to do that without raising property taxes." That doesn't sound like an insurance; that sounds

like a bunch of weasel words that mean: "Property owners across this province, beware. Your property taxes are going up." Simply put, how do you plan on preventing an increase in property taxes? What are you going to do to prevent that from happening specifically?

Mr Ernie Hardeman (Oxford): It's my privilege and honour to represent the minister here this afternoon and speak to the issue. I want to assure you that municipalities recognize the fiscal problems we have in Ontario. They are not waiting in their local town halls for the grants to remain the same as they have been in the past. What the municipalities have been telling us as we've been meeting with AMO, with the regional chairs, with numerous municipalities individually, is that what they need are the tools to be able to handle the reduction in transfer payments.

Mr Bisson: What are the tools?

Mr Hardeman: The tools we're referring to are more local autonomy, that the downloading by past governments of programs they demanded be implemented by municipalities were far beyond the funding that was accompanying them. What they need is the ability to decide where their priorities are and where their money should be spent.

Such further things as restructuring of local government where it's economies of scale, where a lot of changes can be made—we have had numerous counties approach us in the last week or two to talk about reforming their local government to get to the economies of scale and get to look at the decrease in funding so they can deal with the reduction in payments.

As the minister has said, it is not in the jurisdiction of the provincial government at the present time to force municipalities not to raise taxes. It's one of the local autonomies they have that they set the tax rate appropriate to the services they believe their ratepayers require.

What they cannot live with is the constant increase of programming and constant inability to manage their affairs to match the dollars they can charge in local taxes.

As anyone would agree, they would like to have more money, in fact more money than they got last year and more money than they got the year before. They are prepared to look at working with us to try to deal with the reduction in cost. We cannot say that they will not raise taxes, because that is a local jurisdiction, and we want to give more local jurisdiction, not less.

I would just point out that the leader of the third party received applause earlier this afternoon for finally recognizing that there is only one taxpayer. In fact, our local municipalities, our municipal partners, realized that a long time ago. It does not matter whether it's coming from provincial grants or whether it's coming from local property tax, it is the same taxpayer who's paying it. They want the ability to manage their affairs appropriately so they can provide the services their people are prepared to pay for.

I just point out that that is what we are proposing to do. We have set up a committee of municipal officials, which I have the pleasure of chairing, to look at ways this can be accomplished, with boundary adjustments, amalgamations, changing of governments from one-tier to two-tier or vice versa, to reach the economies of scale and to provide the type of government that the people of Ontario told us on June 8 they wanted, better government for less money. So we hope we can work that out and in the very near future the municipalities can get the tools and be prepared to meet the challenges of the future.

The Speaker: There being no further business to debate, I deem the motion to adjourn to have been carried. This House stands adjourned until 1:30 of the clock, Tuesday, November 14.

The House adjourned at 1828.

LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Lt Col The Hon / L'hon Henry N.R. Jackman CM, KStJ, BA, LLB, LLD
Speaker / Président: Hon / L'hon Allan K. McLean
Clerk / Greffier: Claude L. DesRosiers
Senior Clerk Assistant and Clerk of Journals / Greffier adjoint principal et Greffier des journaux: Alex D. McFedries
Clerk Assistant and Clerk of Committees / Greffière adjointe et Greffière des comités: Deborah Deller
Sergeant at Arms / Sergent d'armes: Thomas Stelling

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma	Wildman, Bud (ND)	Hastings-Peterborough	Danford, Harry (PC)
Algoma-Manitoulin	Brown, Michael A. (L)	High Park-Swansea	Shea, Derwyn (PC)
Beaches-Woodbine	Lankin, Frances (ND)	Huron	Johns, Helen (PC)
Brampton North / -Nord	Spina, Joseph (PC)	Kenora	Miclash, Frank (L)
Brampton South / -Sud	Clement, Tony (PC)	Kingston and The Islands / Kingston et Les Îles	Gerretsen, John (L)
Brant-Haldimand	Preston, Peter L. (PC)	Kitchener	Wettlaufer, Wayne (PC)
Brantford	Johnson, Ron (PC)	Kitchener-Wilmot	Leadston, Gary L. (PC)
Bruce	Fisher, Barb (PC)	Lake Nipigon / Lac-Nipigon	Pouliot, Gilles (ND)
Burlington South / -Sud	Jackson, Hon / L'hon Cameron (PC) Minister without Portfolio (Workers' Compensation Board) / ministre sans portefeuille, ministre responsable de la Commission des accidents du travail	Lambton	Beaubien, Marcel (PC)
Cambridge	Martiniuk, Gerry (PC)	Lanark-Renfrew	Jordan, Leo (PC)
Carleton	Sterling, Hon / L'hon Norman W. (PC) Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce	Lawrence	Cordiano, Joseph (L)
Carleton East / -Est	Morin, Gilles E. (L)	Leeds-Grenville	Runciman, Hon / L'hon Robert W. (PC) Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels
Chatham-Kent	Carroll, Jack (PC)	Lincoln	Sheehan, Frank (PC)
Cochrane North / -Nord	Wood, Len (ND)	London Centre / -Centre	Boyd, Marion (ND)
Cochrane South / -Sud	Bisson, Gilles (ND)	London North / -Nord	Cunningham, Hon / L'hon Dianne (PC) Minister of Intergovernmental Affairs, ministre responsable for women's issues / ministre des Affaires intergouvernementales, ministre déléguée à la Condition féminine
Cornwall	Cleary, John C. (L)	London South / -Sud	Wood, Bob (PC)
Don Mills	Johnson, Hon / L'hon David (PC) Chair of the Management Board of Cabinet / président du Conseil de gestion	Markham	Tsubouchi, Hon / L'hon David H. (PC) Minister of Community and Social Services / ministre des Services sociaux et communautaires
Dovercourt	Silipo, Tony (ND)	Middlesex	Smith, Bruce (PC)
Downsview	Castrilli, Annamaria (L)	Mississauga East / -Est	DeFaria, Carl (PC)
Dufferin-Peel	Tilson, David (PC)	Mississauga North / -Nord	Snobelen, Hon / L'hon John (PC) Minister of Education and Training / ministère de l'Éducation et de la Formation
Durham Centre / -Centre	Flaherty, Jim (PC)	Mississauga South / -Sud	Marland, Margaret (PC)
Durham East / -Est	O'Toole, John R. (PC)	Mississauga West / -Ouest	Sampson, Rob (PC)
Durham West / -Ouest	Ecker, Janet (PC)	Muskoka-Georgian Bay / Muskoka-Baie-Georgienne	Grimmett, Bill (PC)
Durham-York	Munro, Julia (PC)	Nepean	Baird, John R. (PC)
Eglinton	Saunderson, Hon / L'hon William (PC) Minister of Economic Development, Trade and Tourism / ministre du Développement économique, du Commerce et du Tourisme	Niagara Falls	Maves, Bart (PC)
Elgin	North, Peter (Ind)	Niagara South / -Sud	Hudak, Tim (PC)
Essex-Kent	Hoy, Pat (L)	Nickel Belt	Laughren, Floyd (ND)
Essex South / -Sud	Crozier, Bruce (L)	Nipissing	Harris, Hon / L'hon Michael D. (PC) Premier and President of the Executive Council / premier ministre et président du Conseil exécutif
Etobicoke-Humber	Ford, Douglas B. (PC)	Norfolk	Barrett, Toby (PC)
Etobicoke-Lakeshore	Kells, Morley (PC)	Northumberland	Galt, Doug (PC)
Etobicoke-Rexdale	Hastings, John (PC)	Oakville South / -Sud	Carr, Gary (PC)
Etobicoke West / -Ouest	Stockwell, Chris (PC)	Oakwood	Colle, Mike (L)
Fort William	McLeod, Lyn (L) Leader of the Opposition / chef de l'opposition	Oriole	Caplan, Elinor (L)
Fort York	Marchese, Rosario (ND)	Oshawa	Ouellette, Jerry J. (PC)
Frontenac-Addington	Vankoughnet, Bill (PC)	Ottawa Centre / -Centre	Patten, Richard (L)
Grey-Owen Sound	Murdoch, Bill (PC)	Ottawa East / -Est	Grandmaitre, Bernard (L)
Guelph	Elliott, Hon / L'hon Brenda (PC) Minister of Environment and Energy / ministre de l'Environnement et de l'Énergie	Ottawa-Rideau	Guzzo, Garry J. (PC)
Halton Centre / -Centre	Young, Terence H. (PC)	Ottawa South / -Sud	McGuinty, Dalton (L)
Halton North / -Nord	Chudleigh, Ted (PC)	Ottawa West / -Ouest	Chiarelli, Robert (L)
Hamilton Centre / -Centre	Christopherson, David (ND)	Oxford	Hardeman, Ernie (PC)
Hamilton East / -Est	Agostino, Dominic (L)	Parkdale	Ruprecht, Tony (L)
Hamilton Mountain	Pettit, Trevor (PC)		
Hamilton West / -Ouest	Ross, Lillian (PC)		

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Parry Sound	Eves, Hon / L'hon Ernie L. (PC) Deputy Premier, Minister of Finance, government House leader / vice-premier ministre, ministre des Finances, leader parlementaire du gouvernement	Scarborough North / -Nord	Curling, Alvin (L)
Perth	Johnson, Bert (PC)	Scarborough West / -Ouest	Brown, Jim (PC)
Peterborough	Stewart, R. Gary (PC)	Simcoe Centre / -Centre	Tascona, Joseph N. (PC)
Port Arthur	Gravelle, Michael (L)	Simcoe East / -Est	McLean, Hon / L'hon Allan K. (PC) Speaker / Président
Prescott and Russell / Prescott et Russell	Lalonde, Jean-Marc (L)	Simcoe West / -Ouest	Wilson, Hon / L'hon Jim (PC) Minister of Health / ministre de la Santé
Prince Edward-Lennox- South Hastings / Prince Edward-Lennox- Hastings-Sud	Fox, Gary (PC)	Sudbury	Bartolucci, Rick (L)
Quinte	Rollins, E.J. Douglas (PC)	Sudbury East / -Est	Martel, Shelley (ND)
Rainy River	Hampton, Howard (ND)	Timiskaming	Ramsay, David (L)
Renfrew North / -Nord	Conway, Sean G. (L)	Victoria-Haliburton	Hodgson, Hon / L'hon Chris (PC) Minister of Natural Resources, Minister of Northern Development and Mines / ministre des Richesses naturelles, ministre du Développement du Nord et des Mines
Riverdale	Churley, Marilyn (ND)	Waterloo North / -Nord	Witmer, Hon / L'hon Elizabeth (PC) Minister of Labour / ministre du Travail
S-D-G & East Grenville / S-D-G et Grenville-Est	Villeneuve, Hon / L'hon Noble (PC) Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales, ministre délégué aux Affaires francophones	Welland-Thorold	Kormos, Peter (ND)
St Andrew-St Patrick	Bassett, Isabel (PC)	Wellington	Arnott, Ted (PC)
St Catharines	Bradley, James J. (L)	Wentworth East / -Est	Doyle, Ed (PC)
St Catharines-Brock	Froese, Tom (PC)	Wentworth North / -Nord	Skarica, Toni (PC)
St George-St David	Leach, Hon / L'hon Al (PC) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement	Willowdale	Harnick, Hon / L'hon Charles (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Sarnia	Boushy, Dave (PC)	Wilson Heights	Kwinter, Monte (L)
Sault Ste Marie / Sault-Sainte-Marie	Martin, Tony (ND)	Windsor-Riverside	Cooke, David S. (ND)
Scarborough-Agincourt	Phillips, Gerry (L)	Windsor-Sandwich	Pupatello, Sandra (L)
Scarborough Centre / -Centre	Newman, Dan (PC)	Windsor-Walkerville	Duncan, Dwight (L)
Scarborough East / -Est	Gilchrist, Steve (PC)	York Centre / -Centre	Palladini, Hon / L'hon Al (PC) Minister of Transportation / ministre des Transports
Scarborough-Ellesmere	Mushinski, Hon / L'hon Marilyn (PC) Minister of Citizenship, Culture and Recreation / ministre des Affaires civiles, de la Culture et des Loisirs	York East / -Est	Parker, John L. (PC)
		York Mills	Turnbull, David (PC)
		York-Mackenzie	Klees, Frank (PC)
		York South / -Sud	Rae, Bob (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
		Yorkview	Sergio, Mario (L)

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

Legislative pages	
The Speaker	656
Business of the House	
Mr Eves	669
Notice of dissatisfaction	
The Speaker	676

TABLE DES MATIÈRES

Jeudi 2 novembre 1995

AFFAIRES D'INTÉRÊT PUBLIC ÉMANANT DES DÉPUTÉS

Loi de 1995 modifiant des lois en ce qui concerne les droits de propriété, projet de loi 11, M. Barrett	
Deuxième lecture	642
Adoptée	649

AUTRES TRAVAUX

Jour du Souvenir	
M. Morin	654

DEUXIÈME LECTURE

Loi de 1995 abrogeant le contingentement en matière d'emploi, projet de loi 8, M^{me} Mushinski	
M. Bisson	683
M. Lalonde	687
Adoptée	688

CONTENTS

Thursday 2 November 1995

PRIVATE MEMBERS' PUBLIC BUSINESS

Spending reductions, private member's notice of motion number 3,	
<i>Mr Christopherson</i>	633, 640
<i>Mrs Ross</i>	634
<i>Mr Agostino</i>	635
<i>Mr Len Wood</i>	638
<i>Mr Pettit</i>	638
<i>Mr Doyle</i>	639
<i>Negated</i>	649
Property Rights Statute Law Amendment Act, 1995, Bill 11,	
<i>Mr Barrett</i> , second reading	
<i>Mr Barrett</i>	642, 649
<i>Mr Ramsay</i>	643
<i>Mrs Boyd</i>	645
<i>Mr Tilson</i>	647
<i>Mr Grandmaître</i>	647
<i>Mr Fox</i>	648
<i>Mr Vankoughnet</i>	648
<i>Agreed to</i>	649

MEMBERS' STATEMENTS

Scarborough General Hospital	
<i>Mr Curling</i>	650
Labour legislation	
<i>Mr Marchese</i>	650
Take Our Kids To Work Day	
<i>Mr Skarica</i>	650
Court facility	
<i>Mr Agostino</i>	651
Furnace venting systems	
<i>Mr Pouliot</i>	651
Waste Reduction Week	
<i>Mr Galt</i>	651
Jack Gatecliff	
<i>Mr Bradley</i>	651
Minister's comments	
<i>Ms Churley</i>	651
Crime Prevention Week	
<i>Mr Carr</i>	652

STATEMENTS BY THE MINISTRY AND RESPONSES

Supplementary estimates	
<i>Mr David Johnson</i>	656
Ontario Hydro	
<i>Mrs Elliott</i>	657
<i>Mr Conway</i>	658
<i>Mr Rae</i>	659
Education reform	
<i>Mr Snobelen</i>	657
<i>Mrs McLeod</i>	658
<i>Mr Rae</i>	659
Investment funds	
<i>Mr Saunderson</i>	657
<i>Mr Phillips</i>	658
<i>Mr Kwinter</i>	659
<i>Mr Rae</i>	659

ORAL QUESTIONS

Investment funds	
<i>Mr Kwinter</i>	659
<i>Mr Saunderson</i>	660, 665
<i>Mr Rae</i>	665
Justice issues	
<i>Mr Ramsay</i>	660
<i>Mr Runciman</i>	661
<i>Mr Rae</i>	661
Minister's comments	
<i>Mr Rae</i>	662
<i>Mr Eves</i>	662
Child care	
<i>Mrs Papatello</i>	663
<i>Mr Tsubouchi</i>	663
Interprovincial trade	
<i>Mr Chudleigh</i>	664
<i>Mr Saunderson</i>	664
Rural policing	
<i>Mr North</i>	664
<i>Mr Runciman</i>	664
Automobile insurance	
<i>Mr Crozier</i>	665
<i>Mr Eves</i>	665
Workers' Compensation Board	
<i>Mr Wettlaufer</i>	666
<i>Mrs Witmer</i>	666
Financial statement	
<i>Mr Phillips</i>	666
<i>Mr Eves</i>	666
Highway safety	
<i>Ms Martel</i>	667
<i>Mr Palladini</i>	667
<i>Mr Pouliot</i>	667
Forest firefighting	
<i>Mr Danford</i>	667
<i>Mr Hodgson</i>	667
Vehicle safety	
<i>Mr Colle</i>	668
<i>Mr Palladini</i>	668

MOTIONS

Private members' public business	
<i>Mr Eves</i>	668
<i>Agreed to</i>	668
Committee membership	
<i>Mr Eves</i>	668
<i>Agreed to</i>	668
Committee schedule	
<i>Mr Eves</i>	668
<i>Mr Stockwell</i>	669
<i>Mr Wildman</i>	669
<i>Mr Curling</i>	669
<i>Mr Bradley</i>	669
<i>Agreed to</i>	669

PETITIONS

Hospital restructuring	
<i>Mr Kwinter</i>	670

French-language services

<i>Mr Christopherson</i>	670
Property assessment	
<i>Mr Grimmatt</i>	670
Community-based justice options	
<i>Mr Curling</i>	670
Labour legislation	
<i>Mr Silipo</i>	670
<i>Mr Bisson</i>	671
<i>Mr Christopherson</i>	671
<i>Ms Churley</i>	672
Karla Homolka	
<i>Mr Doyle</i>	671
Amalgamation of school boards	
<i>Mr Colle</i>	671
Closure of Chatham Jail	
<i>Mr Carroll</i>	671
Rural health services	
<i>Mrs Johns</i>	671

SECOND READINGS

Job Quotas Repeal Act, 1995, Bill 8,	
<i>Ms Mushinski</i>	
<i>Ms Churley</i>	672, 676
<i>Mr Clement</i>	674
<i>Mr Curling</i>	675, 678, 682
<i>Mr Marchese</i>	675
<i>Mr Grimmatt</i>	675
<i>Mr Skarica</i>	676
<i>Mr O'Toole</i>	679
<i>Mr Wildman</i>	679
<i>Mr Cordiano</i>	679
<i>Ms Lankin</i>	682
<i>Mr Ron Johnson</i>	682
<i>Mrs Marland</i>	683
<i>Mr Bisson</i>	683
<i>Mr Lalonde</i>	687
<i>Agreed to</i>	688

ADJOURNMENT DEBATE

Investment funds	
<i>Mr Kwinter</i>	688
<i>Mr Saunderson</i>	689
Municipal finances	
<i>Mr Bisson</i>	690
<i>Mr Hardeman</i>	691
OTHER BUSINESS	
Supplementary estimates	
<i>Mr David Johnson</i>	650
Wife Assault Prevention Month	
<i>Ms Churley</i>	652
<i>Mrs McLeod</i>	653
<i>Mrs Cunningham</i>	653
Remembrance Day	
<i>Mr Shea</i>	654
<i>Mr Morin</i>	654
<i>Mr Rae</i>	655
Visitors	
<i>The Speaker</i>	656

Continued overleaf

A20N
X1
D23

Library
Parliamentary



No. 22

N° 22

ISSN 1180-2987

Legislative Assembly of Ontario

First Session, 36th Parliament

Assemblée législative de l'Ontario

Première session, 36^e législature

Official Report of Debates (Hansard)

Journal des débats (Hansard)

Tuesday 14 November 1995

Mardi 14 novembre 1995



Speaker
Honourable Allan K. McLean

Président
L'honorable Allan K. McLean

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

Hansard on your computer

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. For a brochure describing the service, call 416-325-3942.

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-7411.

Subscriptions

Subscription information may be obtained from: Sessional Subscription Service, Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur votre ordinateur

Le Journal des débats et d'autres documents de l'Assemblée législative pourront paraître sur l'écran de votre ordinateur personnel en quelques heures seulement après la séance. Pour obtenir une brochure décrivant le service, téléphoner au 416-325-3942.

Renseignements sur l'Index

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-7411.

Abonnements

Pour les abonnements, veuillez prendre contact avec le Service d'abonnement parlementaire, Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311 ou, sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 14 November 1995

The House met at 1331.

Prayers.

MEMBERS' STATEMENTS LEGAL AID

Mr Robert Chiarelli (Ottawa West): Because of turmoil in Ontario's legal aid system, last week an Ontario judge stayed cocaine trafficking charges against four accused persons and a second judge stayed a convicted murderer's charge on prison escape.

We also have the sad spectacle of the breakdown of the traditional and cooperative partnership between Ontario's lawyers and the Ministry of the Attorney General. The Law Society of Upper Canada and representative groups of lawyers in separate actions are taking the Attorney General to court on legal aid issues. Ontario lawyers have also taken job action while representing clients in court.

The political and administrative mismanagement of legal aid has caused the loss of public confidence in the reliability and effectiveness of this key cornerstone of our justice system.

It is for these reasons that this afternoon I will be asking the standing committee on administration of justice to immediately convene public hearings and to report to the Legislature before Christmas with recommendations to quell the legal aid crisis in a manner which will maintain the "judicare" model of legal aid within a workable financial framework.

The public, family law lawyers, criminal law lawyers, civil lawyers and legal aid clinics all need a public forum to be heard on this issue, and MPPs need a forum for meaningful contributions to a solution.

N'SWAKAMOK NATIVE FRIENDSHIP CENTRE

Ms Shelley Martel (Sudbury East): I want to make the Premier aware today of yet another organization in the region of Sudbury which is a victim of Conservative funding cuts.

N'Swakamok Native Friendship Centre in Sudbury was established in 1972 to help foster a mutual understanding between native and non-native peoples and to develop native leadership. The centre serves approximately 500 to 600 people per day in the Sudbury and Manitoulin area.

The friendship centre has been hit in three ways. Firstly, since 1973 a community worker has assisted native families moving to Sudbury, to help them access public services and to provide counselling to those feeling the effects of living in an urban setting for the first time. Funding for this position is now gone.

Secondly, since 1976 a daily program for native children involving cultural teachings, urban orientation and tutoring support has been in place. Thousands of

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 14 novembre 1995

children have gone through the Little Beavers program and have benefited from it; now it's been cut.

Thirdly, since 1986, pre-employment and summer employment services for native students have been offered. A counsellor provided support for 100 native students at the native alternative school. Funding for all of this, through the community youth support program, is gone.

If the Premier would visit the native friendship centre he would understand its value and keep its programs. Staff and members are inviting him to do this when he's in Sudbury on November 24. Since they can't afford to pay \$125 to buy access to Mike Harris at the Tory fundraiser, he needs to go to them. I am extending that invitation today.

ROTARY INTERNATIONAL STUDENT EXCHANGE PROGRAM

Mr Gerry Martiniuk (Cambridge): It gives me great pleasure today to welcome to the Legislature Niels Plaumann. Niels is a student from Bremen, Germany, and is visiting Cambridge as part of the Rotary International student exchange program. He is hosted by the Preston-Hespeler Rotary club.

Niels is today accompanied by three club members: President Bob Thiesburger, Erica Tennenbaum, and Bill Barlow, who several members will recognize as one of my predecessors as the MPP for Cambridge.

The Rotary student exchange program has given young people from around the world a chance to visit and learn about other countries and cultures. This type of program is designed to help foster understanding among potential leaders of tomorrow and to expose host families to new ideas from the youth of today.

The four Rotary clubs of Cambridge have hosted many visiting students and sponsored young people from our community as they travelled and learned. We should all be proud of the work that dedicated groups like Rotary do in our community.

I know this is just one way in which Rotarians have enriched Cambridge, the province and Canada. I would like to thank them for their continued good work.

I'm sure all members will welcome Niels, Bob, Erica and Bill.

POST-SECONDARY EDUCATION

Ms Annamarie Castrilli (Downsview): The Minister of Education and Training has in general steadfastly refused to meet with the constituent groups of Ontario's colleges and universities. He has to date also not advanced any plans for the sector in this Legislature. But he seems to have no difficulty discussing his views with numerous members of his own party.

The minister's actions are creating uncertainty, and stress and rumours are rampant. Two thousand University of Toronto students have delivered statements to me deploring their strong opposition to the proposed cuts. They wish the minister to know that the cuts for the University of Toronto alone will mean \$53 million, or one half of the budget of the faculty of arts and science, its largest faculty. Ontario now ranks ninth out of 10 Canadian provinces in funding on a per-student basis.

I urge the minister to consider the effects on quality of education and accessibility in any actions he might take, and to consult widely and quickly with all involved.

HIGHWAY SAFETY

Mr Bud Wildman (Algoma): I rise to bring to the attention of the members of the Legislature a very serious situation.

Miss Kim Butler of Blind River, in my constituency, died in an automobile accident at 11:30 am on Sunday, 20 miles west of Sudbury near, Whitefish. Her automobile was struck by a westbound vehicle. Her daughter, Amanda, is in hospital, and the driver of the other vehicle and a passenger are also in hospital.

The investigating officer, Sergeant Dan Lee of the Sudbury OPP, indicated that the roads were horrendous, "There was slush and ice over the pavement and there were no salt trucks."

According to the weather report, snow began at 2 pm on Saturday. It snowed until 9 pm. It stopped snowing at 9 pm on Saturday and yet the road, Highway 17 and the Trans-Canada Highway, was not plowed by 11:30 am on Sunday morning when the accident occurred.

I hope the Attorney General, along with his colleague the Minister of Transportation, will consider very seriously whether or not a coroner's inquest should be held into this accident to determine whether road conditions, as such, were the result of cutbacks by this government.

CHRIS HADFIELD

Mr Ted Chudleigh (Halton North): My statement concerns information of a galactic nature for the residents of my riding and all Canadians.

High above the clouds, circling the earth, stands 36-year-old Milton resident Major Chris Hadfield on the space shuttle Atlantis. Educated as a mechanical engineer with a master's degree in aviation, Major Hadfield was recognized as the US Navy Test Pilot of the Year for 1991, the first time that distinction was given to a foreign pilot. He now does his nation proud once again on this historic mission aboard Atlantis.

Atlantis's primary mission is to attach a Russian-built docking port to the Mir station to make future shuttle docking safer and easier to accomplish. This marks the first time a Canadian will operate the shuttle's Canadian designed, 20-metre-long mechanical arm. Hadfield will use the arm to pluck a giant tube out of the cargo bay and place it upright into a section of the shuttle just below the cockpit.

As part of the traditional offering of gifts, which is customary when visiting Russians in their homes, Major Hadfield and the crew will give the Russian cosmonauts Canadian maple candy shaped like maple leaves.

Please join me in this House today in wishing Major Hadfield and all members of the space shuttle Atlantis a successful and safe mission on this, the latest historic journey into space.

1340

FLOYD WHITE

Mr James J. Bradley (St Catharines): The people of St Catharines bid a final farewell to an individual who had made an outstanding contribution to the field of education and to the community as a whole.

As a former superintendent of education with the Lincoln County Board of Education and as an individual deeply involved with education in the Orangeville, Guelph, North York and North Bay areas, Floyd White brought innovation and a commitment to children and their future to the schools with which he was associated.

In addition to his involvement in education, Floyd was an active participant in the political arena, playing a significant role in the election of the Progressive Conservative government of his close friend Mike Harris and assisting PC candidates and the Progressive Conservative Party at the local level. Floyd also made an important contribution to the election of his friend Alan Unwin to the position of mayor of St Catharines.

The overflow crowd at his funeral was a testimony to the respect and friendship that he earned during his years in St Catharines and the esteem in which he was held by people across the province of Ontario. It was revealing that those in attendance included so many of his political adversaries as well as his many friends.

He'll be missed by all who knew him, but most particularly by his wife and family. We all say a final and sad farewell to our good friend Floyd White.

ADOPTION MONTH

Mr Tony Martin (Sault Ste Marie): It is my great honour and privilege today to rise in recognition of November as Adoption Month in Ontario, to recognize the large number of people in Ontario who are adopted, an adopted family—mothers, fathers, siblings; brothers and sisters—and to recognize the extraordinary contribution the adoptive community makes to the fabric of life in our wonderful province.

It was my great privilege to attend recently the annual meeting of the Adoption Council of Ontario and to participate with them as they recognized members from among themselves and the adoptive community and the contribution they've made to making sure that people who are involved in adoption have all the services and information they need to get on with their lives.

There is an issue, however, that concerns them greatly, and that is the disclosure of information that will give some of them who are making tremendous efforts to reclaim their birthright the information they actually need to in fact do that—something we all take for granted.

I brought forward a bill to this end, which was supported by this House at that time, but we couldn't bring it to a vote. I urge this government to revisit this issue. All the work has been done. Please move quickly to allow adoptees and their families to have ready access to all the relevant information so that they might reclaim their birthright.

FLOYD WHITE

Mr Tom Froese (St Catharines-Brock): I would like to honour, as the member for St Catharines has already done, Mr Floyd White in the House today. He was a friend and constituent who was well known to many members in this House. He died unexpectedly, at the young age of 58, just over a week ago, on Monday, November 6, while hunting.

Floyd White was a dedicated educator, community worker and political organizer. He retired from the Lincoln county public school board five years ago. At the time of his early retirement, he was an area superintendent who had promoted and supported cooperative education and thinking skills across the curriculum. He's remembered fondly and with deep respect for all he has done for the children of our province.

He was also a friend and mentor to people like myself. He was always there when I needed him during, before and after our most recent election. He gave of himself tirelessly for any number of community and political causes.

I acknowledge the life and tremendous contribution of Floyd White in my community, in my party and in my province. Floyd White will be remembered, as well as his family, at this difficult time.

Thank you, Mr Speaker, for the opportunity to pay my respects on behalf of all those who knew him.

ROYAL ASSENT

SANCTION ROYALE

The Speaker (Hon Allan K. McLean): I beg to inform the House that in the name of Her Majesty the Queen, His Honour the Lieutenant Governor has been pleased to assent to a certain bill in his office.

Clerk Assistant and Clerk of Committees (Ms Deborah Deller): The following is the title of the bill to which His Honour assented on November 10, 1995:

Bill 7, An Act to restore balance and stability to labour relations and to promote economic prosperity and to make consequential changes to statutes concerning labour relations / Projet de loi 7, Loi visant à rétablir l'équilibre et la stabilité dans les relations de travail et à promouvoir la prospérité économique et apportant des modifications corrélatives à des lois en ce qui concerne les relations de travail.

ANNUAL REPORT, PROVINCIAL AUDITOR

The Speaker (Hon Allan K. McLean): I beg to inform the House that I have today laid upon the table the 1995 annual report of the Provincial Auditor.

LEGISLATIVE PAGES

The Speaker (Hon Allan K. McLean): Please join me in welcoming the second group of pages to serve the 36th Parliament of Ontario: Shannon Bailey, Mississauga South; Seth Baker, Oshawa; David Bakker, Durham Centre; Amanda Billard, Prince Edward-Lennox-South Hastings; Fabian Ciancibello, Mississauga West; Brianna Coughlin, Windsor-Sandwich; Barbara Dickenson, Lambton; Jack Ecker, Lincoln; Jaclyn Goodwillie, Kenora; Tobey Gullick, Peterborough; Megh Gupta, Brampton South; Nathan Haddock, Sault Ste Marie;

Jenelle Holtzhauer, Renfrew North; Stephen MacDonald, London North; Lindsay Reimers, Beaches-Woodbine; Mark Reinhart, Chatham-Kent; Jonathan Schinkel, Wentworth North; Melissa Schurter, Perth; Christopher Smeek, York South; Jesse Tinker, Parry Sound; Ailinh Tran, York-Mackenzie; Paul Venditti, Etobicoke-Humber; Katie Waterston, Guelph; Karen Welch, Scarborough West.

Mr Bernard Grandmaître (Ottawa East): Mr Speaker, I would like to ask for unanimous consent to pay respects to our friend Hans Daigeler.

The Speaker: Do we have unanimous consent? Thank you.

HANS DAIGELER

Mr Bernard Grandmaître (Ottawa East): On behalf of my caucus, I wish to convey our sense of loss at the passing of our friend Hans Daigeler. Hans served the people of Nepean in this chamber from 1987 to 1995. He fulfilled his role with dedication and integrity.

Hans was not only a political colleague; he was our friend. He was well known for his convictions and independence of mind. Because of his very special training, he would weigh his decision on his own experiences and his own research.

For many, he was perceived as being stubborn at times, but if you knew Hans Daigeler like I did, you understood why; his thinking was different. We will miss Hans Daigeler because of his uniqueness of approaching problems and resolving them. I think that I am a better man for having known him.

I recall Hans's maiden speech to this chamber on November 10, 1987. It was with regard to Remembrance Day, and in it he stated, "Learning from the past, let us accept the challenge of peace today and renew our commitment to enhance the dignity and rights of all human beings." These words typified the strong humanitarian values which Hans brought to his work and to this chamber.

Hans était un ami de nous tous. Il était une personne dévouée et respectée par ses commettants et notre groupe parlementaire. Hans va nous manquer beaucoup. Il était un homme de grande intégrité. Sa préoccupation du bien-être d'autrui était présente tant dans sa vie personnelle que professionnelle.

Hans parlait l'allemand, le français et l'anglais. Il était un francophile qui connaissait très bien les groupes minoritaires dans notre province.

Que Dieu bénisse sa famille et lui donne la force devant cette grande tragédie.

To his wife, Beverley, and to his three children, Chris, Elissa and Amanda, I say we share your loss and your grief. The riding of Nepean in the province of Ontario is a better place to live because of Hans Daigeler. May God bless his family.

1350

Mr Bob Rae (York South): We were all shocked on our side to hear the very sad news of the passing of a colleague, Hans Daigeler, who was known to all of us, on all sides of the House, as a man of unusual ability, dedication and integrity.

The tragic circumstances of Hans's passing I think caused all of us to reflect perhaps on how little we really know of one another, but also, in my case, caused me to think of Hans's singularity as a member of the House.

I knew him as a colleague in opposition and I knew him when I was Premier. He was a fair critic. He was always determined to make a point but, having made it in this House, he would often follow up with a phone call or a letter to make clear that there was nothing personal in his comments or criticisms but that they stemmed from a very strongly held belief that he had.

Mon collègue de Vanier a parlé avec beaucoup de sincérité au sujet de son ami. Je crois qu'il sait très bien, comme nous le savons, que Hans Daigeler était d'abord et tout d'abord un grand Canadien, quelqu'un qui a cru beaucoup en le pays, un homme qui est venu à ce pays ; c'est un pays qu'il a choisi. En choisissant le Canada et l'Ontario, je crois peut-être qu'il a donné encore de son âme à notre cher pays et à notre chère province.

Words are hardly adequate to express our sense of shock and our sense of loss. I think it causes all of us to really reflect on some of the challenges and difficulties of public life as well as the difficult transitions that are involved in coming in and coming out of politics.

To Beverley and to the children we simply offer our very best, our prayers and our wishes, that they will find some strong sustenance in the memory of Hans, in the fact that his spirit, and his positive spirit, live on, that in giving to his community and giving to this House he was a man of great goodness, great charity and great foresight.

We shall all miss him. We are all strengthened by having known him and by the treasure of his memory.

Mr John R. Baird (Nepean): Today I rise on behalf of my caucus to join with my colleagues on all sides of the House to pay tribute to Hans Daigeler, the former member for Nepean.

Hans Daigeler was, first and foremost, a very community-minded person, someone who fully accepted his responsibilities as a public citizen in our community.

Hans was a theologian by training and immigrated to Canada some 25 years ago. Here in Canada, Hans was very successful, both in his career and, most importantly and particularly, I think, in his family life. He and his wife, Beverley, raised three bright and intelligent children in Nepean and were a great asset to the entire community.

In 1982 Hans was elected to the Carleton Roman Catholic Separate School Board, where he took a special interest, as he usually did, in issues relating to children with developmental disabilities.

Mr Daigeler was a loyal and committed member of the Liberal Party and ran for the provincial Legislature five times, finally meeting with electoral success on his third attempt, in 1987. In fact, Hans is the only Liberal our riding has ever sent to Queen's Park, which I think speaks volumes for the esteem in which he was held in our community.

Throughout his life, and particularly as a member of this House, Hans Daigeler was a man of great principle,

of great integrity, who was well respected on all sides of the House. Like every member of this place, Hans ran for election to the Ontario Legislature because he genuinely and very earnestly believed that he had something to offer and something to contribute to our life.

Throughout his time in the Legislature his motives were never in question. Throughout his life Hans wanted to make a very meaningful and real contribution to his community and to his country, and perhaps nothing more than you can point to was that he was part of the caravan of Ottawa-Carleton residents who travelled to Montreal before the referendum campaign to do his small part in national unity.

Hans always exhibited a genuine interest and concern towards the less advantaged in our society. Of his personal qualities, most notable were his honesty, his integrity and his high idealism.

During the election campaign he proudly put a quote in his campaign literature from my colleague the Conservative member for Mississauga South, which read that she believed he was the most honest and trustworthy of all 130 members of this place. I can say, having been here for just four short months, that there can probably be no better testament to any member of this place than to receive praise like that.

Some people said he was too idealistic. Some said there was no place for idealism in politics and at Queen's Park. I couldn't disagree more. One characteristic that I very much share with Mr Daigeler is his sense of idealism, and I firmly believe, as he did, that idealism is always in fashion.

On election night, Hans Daigeler was very gracious and personally came to see me, I think with one clear motive, simply to wish me well in my new responsibilities, and I greatly appreciated that. I believe that gracious action speaks volumes about the class and character of this legislator.

At this time our thoughts and sympathies go out to his family: his wife, Beverley; his children, Chris, Elissa and Amanda.

Hans Daigeler will be greatly missed by his many friends and colleagues and by our entire community.

The Speaker (Hon Allan K. McLean): I want to thank all honourable members and I will see that Mrs Daigeler and her family get a copy of your remarks today.

STATEMENTS BY THE MINISTRY AND RESPONSES

KARLA HOMOLKA

Hon Charles Harnick (Attorney General, minister responsible for native affairs): As members know, I have previously committed to making a statement in this House regarding issues of public concern that have been raised in relation to the case of Regina v Bernardo. I made this commitment because of my strong belief that the public has a right to know the facts of this case.

As I have also stated on several occasions, this statement to the Legislature and the people of Ontario had to be deferred until the conclusion of all criminal trial proceedings involving Paul Bernardo, in particular those in which Karla Homolka could have been a witness.

Therefore, I would like to inform members that I have appointed Mr Justice Patrick Galligan to conduct an independent, external review. Mr Justice Galligan was first appointed to the bench as a High Court Justice in 1970. He was appointed to the Ontario Court of Appeal in 1989. A former criminal lawyer, Mr Justice Galligan has extensive knowledge of the criminal justice system. He enjoys the respect and confidence of all those who work in that system.

I have asked Mr Justice Galligan to begin his work when he retires from the Court of Appeal at the end of this month, and to provide me with his report no later than March 15, 1996. He will be looking into the following matters:

(1) Whether the plea arrangement entered into by crown counsel with Karla Homolka on May 14, 1993, was appropriate in all the circumstances.

(2) Whether the advice given by crown counsel to the Green Ribbon Task Force in connection with possible charges against Karla Homolka arising out of a sexual assault on Jane Doe was appropriate in all the circumstances.

(3) Whether in all the circumstances it is appropriate or feasible to take further proceedings against Karla Homolka for her part in the deaths of Kristen French and Leslie Mahaffy and the sexual assault on Jane Doe.

(4) To inquire into such related matters, if any, which I may from time to time direct.

1400

I would like to add a few words about why I have chosen this course.

Let me begin by saying that in my time as Attorney General I have been most impressed by the professionalism, the diligence and the high ethical standards of the men and women in our prosecutorial service. Therefore, it is not surprising to me that they support the appointment of an external review in this case.

In most cases in which prosecutorial decisions are reviewed, the Attorney General would receive advice from senior ministry officials. In this case, the prosecutorial decisions were reviewed or made by those senior officials themselves, and it would be inappropriate for them to review their own advice and decisions. I have concluded, therefore, that any examination of these matters should be conducted by an external adviser in order to ensure its independence.

I would also like to add that the decision to launch this review was made following consultation with the victims' families.

As the House well knows, the prosecutorial decisions now under review were made before I became the Attorney General. In that sense, I am independent of those decisions and have an open mind on these matters.

I also have an open mind as to the appropriate course to be taken on receipt of Mr Justice Galligan's report. I intend to make Mr Justice Galligan's report public.

As far as I am concerned, all options for further action are open. This would include an examination by the justice committee of this Legislature of any policy issue

to which Mr Justice Galligan might draw my attention. Mr Justice Galligan's report itself will give us the information and advice on which to decide whether further steps are needed.

The citizens of this province have a right to a complete explanation of the decisions made and the advice given by prosecutors in this case. I look forward to putting all the facts before the public through Mr Justice Galligan's independent review.

Ms Annamarie Castrilli (Downsview): The gruesome facts in this case demonstrate like no others that the hallmark of a fair society must be an equitable justice system.

The minister's own party published a Conservative Blueprint for Justice and Community Safety in Ontario, and it cites that there is a growing perception in Ontario "that sentencing in our courts is no longer providing a deterrent" or rehabilitation. This in turn "is undermining public confidence in the integrity of the criminal justice system."

Let me remind the minister how long it's taken us to get to this point. It was in the summer that our party wrote a letter asking for a public inquiry. In an effort to be constructive, we pointed out the means whereby the minister could in fact hold the matter to a public inquiry, and indeed, if the inquiry found the process wanting, how the Criminal Code might be of assistance in reopening the case.

We then raised the issue again at the beginning of the Legislature, in both September and October of this year. To both questions, the minister answered that the matter was before the courts and nothing could be done until all proceedings against Mr Bernardo were dispensed with; this despite a growing body of legal opinion which indicated that the Homolka plea-bargaining arrangement was not and could not be evidence in any proceedings against Mr Bernardo.

Nevertheless, here we are. It took those questions, it took some pressure and it took hundreds of thousands of people all across this country who made their voice known to this Legislature. Three hundred and twenty thousand petitions have been received to date. We have been entering them on a daily basis.

People have been shocked, have been outraged, at the way in which this government has stalled on this matter. Now, at long last, we have some action. But let's examine the kind of action that we have.

Firstly, rather than lead, this government has shown a propensity this time to stall, and here we are stalling again. This is an inquiry that will take six months to in fact conclude its findings. Little is known of the terms of reference that this inquiry will have, nor indeed is there any explanation as to why it would take so long.

Let me just conclude by saying that there is indeed a responsibility to the people of Ontario to ensure that the justice system is a fair one. A secret process, which this is—it is not a public inquiry, although the report itself will be made public at some juncture—will not help to restore that confidence the public now seems to lack.

The people have a right to know, and we have a right to ask, what is being hidden here? Why cannot this be held up to public scrutiny and why should we go through a charade? I hope this is not going to be a sham. In the end, only the system of justice will lose if that is the case. We urge the minister to reconsider and to open the matter to public inquiry, as the people have demanded.

Mr James J. Bradley (St Catharines): Needless to say, in the community of St Catharines there has been an extraordinary degree of interest in this particular subject. The people of our community, and I'm sure the people of Burlington and really the people of the entire province, will take a good deal of interest in the final conclusions which are provided to the public by means of this particular inquiry.

I think the minister is aware, as all members of the House are aware, of the great degree of interest and concern that people have expressed, because of the number of petitions that come forward. All of us who sit in this House know that petitions are almost routinely presented each day, and I think that the Attorney General and others in the House were all extremely impressed by the number of people who took the time to sign petitions and the number of people who volunteered to distribute petitions around the various communities in the province.

I know they, as I and people in my community, will be extremely interested in the final information that is forthcoming. We hope that it will be clear, we hope that it will paint a picture that they will understand and we hope that it's comprehensive enough to do so. That is why I think it's reasonable for the minister to include his fourth condition, and that is that any further matters that might arise should be included in this inquiry.

Mrs Marion Boyd (London Centre): I rise today to say to the Attorney General how pleased our party is that he has made the decision that he has in this matter. The commitment always was, in this very sensitive and difficult case, that once all the matters before the criminal court pertaining to Mr Bernardo were complete, there would indeed be a full disclosure of the issues that went into the decision-making along the way in terms of the prosecution.

Mr Justice Galligan is an excellent choice for this kind of an inquiry. Having practised criminal law, he understands the concerns already being expressed very vociferously by those who practise criminal law in this province around the necessity, first, to build better public confidence in how the justice system works, and, second, to ensure that due process is accorded to every accused in this province and that indeed, whatever kind of public pressure is brought to bear on the Attorney General of the day, the legal process will be full of integrity and will in fact go forward in a way that does not prejudice the possibility of a successful conviction in a case of this magnitude.

Mr Justice Galligan's terms of reference, contrary to what my colleague the member for Downsview says, I think are quite clear, and clearly we can expect his report to go into all the matters that have been raised around the prosecution of this case and the decisions made.

I share the Attorney General's admiration for the professionalism and the very high standards of ethics that

our prosecutorial service has. It doesn't surprise me at all that they support him in this decision. It is very important to those who work in our courts as prosecutors that the public understand better than they seem to do how the process works, and this is another step in that direction.

1410

I'm also delighted that the long-standing effort to consult with the victims' families in this case has continued, because they have been very key to the efforts the ministry has made in this case. I'm delighted that they understand why it is necessary to reopen these matters and why it is important for these matters to be made known.

I would say that I have every confidence Mr Justice Galligan will be mindful of our need to ensure that the implications of any finding in this case are clearly laid out for us. The possible consequences of the revisiting of plea bargains that have been made are well known to the Attorney General, and I'm sure he shares my concern that the implications of any finding be limited to this particular case and the very unusual circumstances which surround this case.

In closing, this particular case—the circumstances that surround it, the public airing of details of a gruesome crime that we seldom see in this province—has piqued a lot of concern among the population, has raised the interest in the way in which our criminal justice system works. Although it has been painful, indeed traumatic, for many people to deal with this case, I think it is in the best interests of our population in Ontario that they have a clear understanding of how our legal system works, as opposed to other legal systems, that they have a clarity about the commitment of this government, and frankly all other governments, to ensure that the integrity of the justice system is not questioned.

I assure the Attorney General of my full cooperation as this review goes forward.

ORAL QUESTIONS

HEALTH CARE FUNDING

Mrs Elinor Caplan (Orillia): My question today is for the Minister of Health. Minister, over the past weeks you have been dropping disturbing hints that your government is planning to break its key election promise, its most important commitment, that there will be no new user fees. My office and those of my colleagues, and I'm assuming yours as well, have been swamped with calls from worried senior citizens. What should I tell these people? Are you planning on making senior citizens pay for their medication?

Hon Jim Wilson (Minister of Health): I thank the honourable member for her question and I suggest that she tell her constituents that, consistent with the Common Sense Revolution and our commitments, there will be no new user fees on medically necessary services in this province.

Mrs Caplan: I would remind the minister that his own Premier, when he was Leader of the Opposition, said, "A copayment is a user fee." That is a direct quote. I ask him not to engage in the semantics. A user fee by any other name is a user fee. When you make people pay, as the now Premier said, it is a user fee.

Mr Minister, will you admit that you are breaking and will be breaking your two most important commitments? One, you made to the people of Ontario the commitment that you would not introduce new user fees; two, you made the commitment that you would not hurt seniors and disabled persons. These are the very groups that would have to start paying for their medications that doctors have prescribed for them.

Hon Mr Wilson: I'm familiar with my own words in opposition. I look at the record of October 8, 1992, when I was Health critic for my party and I was trying to explain the difference between a copayment and a user fee to the Honourable Frances Lankin, Minister of Health at the time. Clearly, user fees are fees that are assigned to those services deemed medically necessary under the Canada Health Act. Copayments exist now.

As the honourable member Mrs Caplan said in Hansard on November 22, 1988: "We have in place right now a system of copayment for chronic care. I believe that there may be other appropriate copayment opportunities which are not a deterrent to appropriate services." Then we saw her government and the NDP government bring in \$150 million worth of new copayments in our long-term care sector.

All programs are under review in my ministry, including the Ontario drug benefit plan. No decisions have been made at this time, and if a decision to bring a copayment in is made, I can assure the honourable member that low-income seniors and people on social assistance will be well protected under any program.

Mrs Caplan: I'm now quoting Mike Harris when he was your leader in opposition. He said to then-Premier Rae: "The Premier and his cohorts can use all the euphemisms they like when they are talking about fees paid by people who use these services. That's user fees."

Minister, before and during the June election your party stated that it would not introduce new user fees. You said that it was your first and most important commitment, that health care was too important to cut. Your election bible stated, "Under this plan, there will be no new user fees."

Mr James J. Bradley (St Catharines): Do you want me to hold that up?

Mrs Caplan: Would you do that, please. I'll put it here so you can see it very clearly, right out of your own election bible.

This is a serious and critical broken promise. We are talking about sick people; we are talking about charging them for their medication. Minister, what could be more medically necessary than the drugs their doctors prescribe for them? Will you stand today and save your reputation and commit to the people of this province once and for all that when your party and your government says, "No new user fees," it means no new user fees, copayments—

The Speaker (Hon Allan K. McLean): The question has been asked.

Mrs Caplan: Will you make that commitment?

Hon Mr Wilson: It's one of the problems with the Canada Health Act, and it's one of the issues that the Premier has brought up with his colleagues recently

across Canada, that I brought forward in Victoria recently with other Health ministers, that drugs outside of the hospital are not covered under the Canada Health Act. We certainly, as a party, committed to no new user fees on medically necessary services. We made that very, very clear.

Unlike the previous government, which actually put user fees on by delisting 20 medically necessary services, as defined under medicare, as defined under the Canada Health Act—that was the removal of port wine stains for certain age groups, childhood circumcision, in vitro fertilization in many cases—those were medically necessary services as defined under the Canada Health Act. The NDP government delisted those, and those became 100% new user fees. Our government will not be doing delistings like the NDP did, and we will not be introducing user fees on medically necessary services.

HIGHWAY SAFETY

Mr Rick Bartolucci (Sudbury): My question today is to the Minister of Transportation. I rise on a very unfortunate matter regarding the death of a northern Ontario woman on an icy stretch of the Trans-Canada Highway this past Sunday morning in Whitefish.

Minister, I recognize that the snowplowing cuts that you authorized had not even taken place on Sunday. I lay no blame towards the ministry and certainly no blame towards the hardworking plow crews of the Sudbury region for the untimely death of Mrs Butler.

Yesterday, though, your cuts did take place in many part of the province. Mr Minister, what guarantees do you give to the families and friends of the people of northern Ontario travelling the winter roads in hazardous conditions that the roads will be safe?

Hon Al Palladini (Minister of Transportation): I'm always saddened to hear of a tragedy on our roads, especially up north. I think everybody is kind of sensitive to the fact that things happen more occasionally up there under the circumstances, supposedly. However, I'm disappointed that the honourable member would link this government with the tragic accident. It is an insult to the families.

The Ministry of Transportation is streamlining its winter operation. It's taking advantage of the opportunities that we have to utilize the dollars. This government is not going to pay people standing around waiting for snow to fall. We have the capabilities to be able to react and perform the services and duties that this government is committed to.

1420

Mr Bartolucci: Mr Minister, either you're incapable of comprehending a question or you weren't listening to the question. Either way, your answer is unacceptable to the residents of northern Ontario. There is a major difference between commuting from Woodbridge with either your chauffeur or by yourself and driving 60 kilometres on an icy road in the dark in the middle of winter to make the morning shift at Levack or Lockerby mine.

Mr Minister, as you should know, there is little public transit in northern Ontario. People use their cars in the

north to get to work, to visit families and to bring family members to hospitals. Only God knows what the weather will bring at any given time, but you, Mr Minister, have the ability to guarantee safe roads for the people of northern Ontario. Will you reconsider your cuts to snowplowing, to salt trucks and to manpower?

Hon Mr Palladini: I think the honourable member would like this government to have winter go away. I wish we had that capability. The ministry's reputation is excellent. The people that are on the front lines know their job, and they're doing an excellent job. We have developed a system where we are able to react.

Let me ask this question: Is it working? Yes, it's working. After a recent storm in Thunder Bay last week, I got a letter—but by the way, I do know the north and I actually have friends up in the north. I would like to tell that to the honourable member. I just would like to share this. This letter states, "We have just had"—

Mr Frank Miclash (Kenora): Those telephones don't work up there, Al.

The Speaker (Hon Allan K. McLean): Order. The member for Kenora is out of order.

Mr Gilles Pouliot (Lake Nipigon): And he bought a pair of moccasins, Mr Speaker, in 1933.

The Speaker: The member for Lake Nipigon, order. Order. I don't know whether the members want to hear the answer or not. I would. Minister.

Hon Mr Palladini: These days we have a way of monitoring when snow is actually going to fall. I just want to make a note.

"We have just had our first major snowstorm of the season. It happened on Thursday and Friday, November 2 and 3. Even though it ended as we went into the weekend, your MTO crews had the major highways plowed, sanded and salted as soon as was possible under the circumstances. My wife and I travelled to Kenora on Saturday, and the roads in that area were just fine."

Here's an article from a newspaper—not a letter from a friend—"Cleanup Crews Handle Snowfall"—

Interjections.

The Speaker: Order. The question has been answered. Final supplementary.

Mr Bartolucci: The minister's answer is probably the worst possible answer any minister has ever given in this House. Let me tell you that the road conditions on the Trans-Canada Highway at 11:30 on Sunday contained three inches of ice with 18 inches of centre-bare pavement. Those are not ideal conditions whether you're in the north or the south. But, Minister, again your answer, which is a non-answer, will be considered a no to reconsidering your cuts.

Let me ask you another question. Recognizing, as I'm sure you do because you have friends in the north, that winter comes earlier in northern Ontario than in southern Ontario, will you commit today to a standard greater than centre-bare conditions at all times during the winter months for the highways of northern Ontario, and will you publicly state what your standard is for the winter months for the roads and highways in northern Ontario?

Hon Mr Palladini: We're still spending \$130 million in winter maintenance. This is the Chronicle Journal; I would just like to quote—I don't want to read the whole article; I think maybe I'll fax one over to my honourable member—"Despite cutbacks in manpower and equipment, MTO employees were out in full force overnight. The storm threatened to jeopardize travel on highways leading out of the city, but the ministry staff worked and worked and got the roads cleared."

Mr Floyd Laughren (Nickel Belt): I wanted to follow up with the Minister of Transportation the question put by my colleague from Sudbury, because that accident happened about 10 miles from my home.

I'd like to make sure the minister understands the conditions and what led up to the accident. This is according to the Sudbury Airport weather office: Snow began to fall at 2 pm on Saturday. The period of snow falling ended at about 9 pm with very light snow flurries after that until about 5:30 am on Sunday, that included some ice pellets which lasted roughly from 12 to about 2 pm on Saturday, for a total of 25 cm that fell. Sunday was ideal with very little wind and bright sunshine.

The conditions on that road cost a young woman her life and two other people are in serious condition in hospital. The accident happened at 11:30 the next morning when the conditions were horrible on that highway, and it's the Trans-Canada Highway. All of this apparently has happened before the cuts in road maintenance even have taken place, so it's hard to imagine what the conditions of the road will be after the cuts in maintenance occur.

The Speaker: Put your question, please.

Mr Laughren: Could I ask the minister why he's not prepared now to reconsider his ill-advised decision to reduce road maintenance, especially in the north?

Hon Mr Palladini: I could only inform the honourable member once again that we are committed to making sure that our roads are safe. We're spending \$130 million. What we have in place is the flexibility to react and perform the duties and the services that it's going to take in order to maintain that safety. I can assure the honourable member we will make sure our roads are safe.

Mr Laughren: Not even your friends up north are going to swallow that hogwash, because it's not happening.

In the words of the OPP sergeant, Dan Lee, "The road conditions were horrendous." Neither car was speeding; it's estimated they were probably travelling at about 50 km an hour, and this is at 11:30 on Sunday morning, 15 hours after the rather intense snowfall took place.

Will you now reconsider your decision to reduce maintenance on Ontario's highways? This is just the beginning; there have been other accidents in other parts of northern Ontario as well which took lives. So I'd ask you again, why will you not reconsider this very, very horrendous decision you've made?

Hon Mr Palladini: I would like to tell the honourable member that we will provide the best service because we have the best people. Unlike the previous NDP government, we are not going to pay people to stand around.

Mr Laughren: The minister can talk about people standing around all he likes. What was needed in that part of the province was for people to be out on the highway clearing the highway, not standing around. Fifteen hours after the snowfall had come down, it still hadn't been done. How do you justify that?

Since obviously the minister and I will never agree on his policies on cutting maintenance, in northern Ontario especially, I would ask him—I guess this would be referred to the Attorney General—to consider a coroner's inquest to determine what really did happen on Highway 17 on Sunday morning.

Hon Mr Palladini: It is really sad that I really feel the member would like Ontarians to believe that this government is responsible for that tragedy that occurred. I would like to inform the honourable member that our people were out there before the accident happened, so it's not a question of us not reacting to deliver the services. Our people and plows and sanders were already out, so we did react.

1430

HEALTH CARE FUNDING

Mr Bob Rae (York South): My question is to the Premier and it concerns the document, the Common Sense Revolution, which was released under his name. That document contains several statements about health care. It says, first of all: "We will not cut health care spending. It's far too important. And frankly, as we all get older, we are going to need it more and more." The statement also says, "Aid for seniors...will not be cut." It then goes on to say, "Under this plan, there will be NO new user fees."

I'd like to ask the Premier directly with respect to this question relating to seniors and the conclusions that seniors would reasonably draw from reading those words, would the Premier not agree with me that any senior hearing these words, "Aid for seniors...will not be cut," and that health care is "far too important...as we get older, we are going to need it more and more," and, "no new user fees," might reasonably conclude from that that the Tory government would not be charging that senior for drugs prescribed by a doctor? Would the Premier not agree with me that that's a reasonable conclusion for a senior citizen to have drawn before June 8?

Hon Michael D. Harris (Premier): The senior citizens I've talked to have very reasonably come to this conclusion: \$10-billion deficits, \$100-billion worth of debt, is a tragedy, is a disgrace to leave to their children, to their grandchildren, to their great grandchildren, and they want something done about it. That's what they have told me. Universally they have told me that.

Now, the former Premier and now leader of the third party for running up those billions of dollars worth of debt and \$10-billion deficits asked me this very question in the Legislature a few weeks ago, referred me to the very page that talked about the Canada Health Act and talked about the definition that his Minister of Health, that he as Premier—the former Minister of Health, now holding up the signs, and the former Premier—used for user fees for medically necessary services and for those

items that were under the Canada Health Act. Clearly, in reference to the Canada Health Act we said it is our intention to live up to the Canada Health Act. There will be no new user fees that would apply there.

And I would say this: If there is any confusion out there, it has not been created by me, by our Minister of Health, by our caucus, by our campaign; it is being created by you, sir.

Mr Rae: I appreciate being attacked as if I were still Premier. Would that I were, Mr Speaker.

But I want to just say this to the Premier in asking the second question: I can understand the Premier's agitation, because he clearly knows that any senior citizen listening to a door-to-door salesman, and that door-to-door salesman would say to the senior couple, living at home, in their 70s, who would pay out hundreds of dollars for medication medically prescribed by a doctor for blood pressure, for whatever it might happen to be, and they hear, "Don't worry. Aid for seniors will not be cut. Don't worry. There'll be no new user fees. Don't worry. Health care is too important"—we are looking at a door-to-door salesman who has told senior citizens not to worry, and now we are clearly told, by the use of weasel words and sucker clauses in the statements made by the Minister of Health, that now seniors are going to be paying through the nose for drugs which are medically necessary.

Let's talk about these medically necessary drugs prescribed by a doctor for conditions that are determined by a doctor. I'd like to ask the Premier how it could possibly be that a senior citizen, having been told that their aid will not be cut and that health care is too important, is now going to be charged hundreds of dollars for medically necessary drugs.

Hon Mr Harris: When we took office and we examined work in progress, we examined things like this—

Interjections.

The Speaker (Hon Allan K. McLean): Order.

Hon Mr Harris: Ruth Grier, June 30, 1993: "In order to expand the number of people eligible for the program ODB, there has to be some sharing of the costs."

I would assume that the former minister, Ruth Grier, was not planning to break the law or go contrary to the Canada Health Act in doing that.

Interjections.

The Speaker: Order. Would the Premier take his seat, please. The member for Windsor and the member for Hamilton East have been continuously out of order, and I won't warn either of one of you again.

Hon Mr Harris: Also on June 30, 1993, former Minister Grier: "The plan isn't fair at this point. It's not based on one's ability to pay. If you're over 65 you get free drugs regardless of income. If you're on social assistance you get free drugs. It's not fair," she said. "It isn't fair."

When we dusted off those proposals and we took a look at them, we agreed: There is something wrong. There is something not fair. The senior citizens I have talked to across the province agree: It's not fair. There is

something wrong not only with the \$10-billion deficits, not only with the \$100 billion worth of debt, but there is something wrong that some poor seniors are paying, some poor people who are working very hard are paying, and others who are millionaires are not paying. So we intend to look at that.

Mr Rae: This is the picture of the door-to-door salesman. This is the picture that was relied upon and the promise that was relied upon, a personal promise made by the Premier to the senior citizens of this province.

Since the Premier has made such a point in his responses about talking about the circumstances facing the province, I want to ask him, how does he justify giving a tax cut worth thousands of dollars to people making over \$100,000 or \$150,000? If you're making a quarter of a million, it's worth thousands and thousands of dollars. You're giving them that money, you're handing it to them at the same time that a senior citizen couple making \$25,000 a year total income is being asked to pay \$348, plus a \$2 copayment every time they have to take out a prescription. How do you justify that if you're really worried about the deficit?

This is a serious issue of credibility and integrity of the Premier and his government with respect to health care and with respect to the seniors of this province. That's what we're facing right now.

Hon Mr Harris: Let me read a quote from the former Premier and the questioner today, Mr Bob Rae. Mr Rae called free drugs for welfare recipients a disincentive that goes against the government's aim to get people off welfare: "We've got to deal with that when we reform the drug program and the welfare system."

You had it all right, I would say to the former Premier and to the leader of the NDP. You had all the problems identified; you laid it out there. You just didn't have the courage to bring forth commonsense solutions to solve the problem, and that is what we are going to do.

1440

KARLA HOMOLKA

Ms Annamarie Castrilli (Downsview): This question is to the Attorney General. For many months now I have raised in this House the issue of the Homolka plea-bargain inquiry, and you will recall that over 320,000 Ontarians have petitioned the Attorney General to appoint an independent body to conduct a full public inquiry into the Homolka plea-bargain agreement.

The Attorney General has at long last reacted to the overwhelming pressure and has called for an inquiry. I would ask the minister to elaborate on the terms of reference for the inquiry, in particular the rules with respect to fact-finding and why the long deadline—until March 1996.

Hon Charles Harnick (Attorney General, minister responsible for native affairs): If I might first talk about the deadline, in the member's response to my statement she indicated that it would be six months till the report was completed. In fact, I indicated that Justice Galligan would be starting the report after his retirement at the end of November and that the report would be ready no later than March 15. That is not six months.

For something of this nature, I think we all want the report to be done thoroughly and properly. It will be done thoroughly and properly, and it will be delivered back to this House and made public in a timely way.

In terms of the terms of reference, I very carefully outlined the four terms of reference, and I will review those again. They are quite clear:

(1) Whether the plea arrangement entered into by crown counsel with Karla Homolka on May 14, 1993, was appropriate in all the circumstances.

(2) Whether the advice given by crown counsel to the Green Ribbon Task Force in connection with possible charges against Karla Homolka arising out of a sexual assault on Jane Doe was appropriate in all the circumstances.

(3) Whether in all the circumstances it is appropriate or feasible to take further proceedings against Karla Homolka for her part in the deaths of Kristen French and Leslie Mahaffy and sexual assault on Jane Doe.

(4) To inquire into such related matters, if any, which the Attorney General may, from time to time, direct.

I don't know what can be more clear. Those are the terms of reference. His lordship will deal with these and report back to us, and I will make that report public.

Ms Castrilli: I didn't ask the minister to repeat the terms of reference. I asked him to be very specific on what were the rules with respect to fact-finding and why the deadline. Minister, I should tell you that I did not say that your report was not to be completed for six months.

Hon Mr Harnick: Check Hansard.

Ms Castrilli: Excuse me; I said that it was to be made public. Now you've said that it's going to be made public in a "timely" fashion. God knows what that will mean.

But let me ask you another question since you've not answered the first question, and that is, in the interests of public justice and the fact that so many Ontarians have expressed their views that this be a public inquiry, will you commit yourself to having a public inquiry, and if not, why not?

Hon Mr Harnick: The tragedy of the Bernardo case is something that victims have had to live through, and to make victims live through another inquiry made public is something that I'm shocked about. I'm shocked the member would suggest it and I'm shocked that she would be so unfeeling towards the victims of this terrible situation.

What I have tried to do is to find the very best person to comment on what was done and to make that report public. I will also tell the member that law enforcement officials in the Ministry of the Attorney General will be available. They will be interviewed and they will advise the justice of exactly what happened. He will report and make findings, and I will make them public. Surely, that is the most caring and decent way to deal with this inquiry.

CHILD CARE

Mr Bob Rae (York South): My question is to the Minister of Community and Social Services. It concerns

the proposals that are apparently being considered by his ministry to drastically reduce support for child care and, indeed, to change it completely to a voucher system.

Right now there are nearly 70,000 subsidized child care spaces in the province which are vital for those parents as well as for those children. We have begun to build up a good system in the province that needs to be made better.

I'd like to ask the minister to tell us why it is that the ministry is considering such a drastic reduction in the level of service, which will close literally hundreds of centres across the province if carried out, and when it is that we will hear of the plans the minister in fact has?

Hon David H. Tsubouchi (Minister of Community and Social Services): Obviously the leader of the third party is referring to this purported report that was, I guess, in the newspapers a couple of weeks ago or so. At the time, I indicated that there was no such report that has been submitted to me, and clearly that's the case.

What we are doing, and I reported it to the Legislature some time ago as well, is that we are looking at a complete review of the day care program, because obviously it's not working right now. I quite agree that we have to make sure there are spaces available to people; that's quite true. We as a party believe this. We want good, quality, affordable day care. We want to make sure there's choice out in the community. That's why we're doing this review of the day care system, ably as well, I might add, as I said before, under the leadership of my parliamentary assistant, Janet Ecker.

Mr Rae: The minister perhaps will forgive us in saying that many things we read about his ministry in the newspaper turn out to be true, and therefore we have no choice but to ask some questions on this subject. He didn't answer my question when I said when this review will be completed and when we will know of the government's new plans.

But by way of supplementary, I wonder if I might ask him for an update on the discussions with the federal government. We know that Metro council, through Chairman Tonks, has approached the federal government. We know that the federal government has indicated an interest in child care spaces. I'd like to ask the minister: What is the position now of the government of Ontario with respect to the federal proposal that would allow for an increase in the number of subsidized child care spaces in the province, considering the length of the waiting lists that are now there?

I'm sure the minister would want to take any opportunity. Can he give us an assurance that he intends to follow through on these negotiations and in fact realize something that will be of benefit to parents and to children?

Hon Mr Tsubouchi: In response to the question, I have already responded back to Mr Axworthy. I've indicated a willingness for ourselves, as a government, to meet with Mr Axworthy, and discuss what he has in mind. Unfortunately, right now, we don't know what he has in mind.

Certainly, his letter to me indicated an idea that he was going to provide us with some idea of what he was

proposing, which we haven't received as of yet. Until we do have an opportunity and Mr Axworthy does respond to us, it's very difficult. But I might say right now that the problem we have in Ontario is having good, affordable spaces. That's something that's a priority to us and it's certainly something we're willing to pursue.

WORKERS' COMPENSATION BOARD

Mr Trevor Pettit (Hamilton Mountain): My question is for the minister responsible for the Workers' Compensation Board. I've had many calls and concerns from the workers of Hamilton Mountain regarding the state of the WCB. As we all know, the WCB is in serious financial trouble with an unfunded liability of over \$11.4 billion.

Will the minister please explain to me and the workers of Hamilton Mountain what was wrong with the strategy that was followed by the previous government's bipartite board of directors in order to address this financial crisis?

Hon Cameron Jackson (Minister without Portfolio [Workers' Compensation Board]): I wish to thank the member for Hamilton Mountain for his question. It's always a pleasure to get a question in the House.

Mr David S. Cooke (Windsor-Riverside): Oh, that's right, this is your issue.

Hon Mr Jackson: Yes, I'm kind of looking forward to this.

It's very clear that the unfunded liability is a very major crisis facing the Workers' Compensation Board, in fact facing all workers, injured or not injured, in this province.

The unfunded liability has increased over 300% over the last 10 years, in just a decade. The previous government's bipartite board of directors was given a package of financial improvements for their consideration, in which they could help manage and bring on side some of these important changes to get their operating budget under control.

This balanced package, as I said, was balanced with concerns from both management and from injured workers, but it represented over \$400 million worth of savings to the Workers' Compensation Board with this kind of unfunded liability. This was never approved. It was never approved by the handpicked bipartite board of the previous NDP government. That government sold this province on bipartism on a board that was adversarial and in a gridlock situation, and it's truly unfortunate that the previous government lacked the leadership to get the financial house in order for the Workers' Compensation Board.

1450

Mr Pettit: The Workers' Compensation Board spent over \$2.7 billion in workers' pensions and other obligations in 1994 and had revenues from assessments of \$2.3 billion, yet the board reported a \$130-million surplus for 1994. Can the minister possibly explain to me and the workers of Hamilton Mountain how the board could possibly manage an operating surplus when its assessment revenues do not cover its expenditures?

Hon Mr Jackson: The member is quite clear in sharing with the House the very large amounts of money

that are held in trust for injured workers and paid out on an annual basis. I want to remind the members of the House, the original vision for the Workers' Compensation Board, as defined in this province, was an accident fund and it was created to ensure wage replacement for injured workers. This was a trust to be held for future injured workers.

In the last several years the WCB board of directors has approved consecutive annual transfers of \$200 million and \$400 million from its investment fund to its operating budget in order to cover its current expenses. This is known as drawing down from your investment and your cash flow in order to make your books look good. The fact is that this was done not in the best interests of both injured workers and the employers who create the jobs in this province.

I just want to share with the House that \$130 million of the operating surplus recorded by the WCB in 1994 is a sham. It was a sham because of this drawing down of money. I simply want to say that under the leadership of this government we are prepared to make the necessary changes, under the leadership of my colleague the Minister of Labour, starting with Bill 15 and a subsequent review, that we will restore financial accountability to the Workers' Compensation Board in this province.

CHILD CARE

Mrs Sandra Pupatello (Windsor-Sandwich): My question is for the Minister of Community and Social Services. I'd like to ask him if he would verify what he was quoted in the Ottawa press some time last week, indicating that he intends to abolish the Day Nurseries Act.

Hon David H. Tsubouchi (Minister of Community and Social Services): I haven't seen it and definitely no. I've never seen that quote. I've never said that.

Mrs Pupatello: In fact not only that, but we understand that he too is investigating the Wisconsin model of providing child care and bringing it over to Ontario. In speaking to officials from Wisconsin, we called them and we said: "Could it be true? Could our minister indeed be searching Wisconsin for the model?" The officials from the office of child care in Wisconsin told me: "You've got to be kidding. Why on earth would you be looking at Wisconsin when Ontario offers one of the best and most progressive quality child care in North America?"

Since the minister is so interested in the Wisconsin model, he probably already knows that they've had 1,200 infractions that have required investigation in the child care industry in Wisconsin, and that compares to Ontario's last year of 25 infractions that required some action. In fact the state of Wisconsin doesn't even require criminal checks when issuing certificates for child care.

The Speaker (Hon Allan K. McLean): Put your question, please.

Mrs Pupatello: I'd like the minister to respond to the parents of Ontario and to the 70% of children who are currently on a roulette wheel; all of those children, 70% of whom are currently in some form of child care: Are you agreeable to putting these children at risk?

Hon Mr Tsubouchi: No, we're not willing to put children at risk. Number two, I don't know where the

honourable member is getting some of these outlandish ideas that she's coming up with, but certainly I've never looked at the Wisconsin model, whatever that is, and certainly, if it doesn't work, why would we put it into place in Ontario? It doesn't make any sense. So I think there's got to be a little more pith, so to say, to some of the things the honourable member is saying these days.

CHILDREN'S AID SOCIETIES

Mr David S. Cooke (Windsor-Riverside): My question is also to the Minister of Community and Social Services. Could he confirm that there are a number of children's aid societies in the province that are in very difficult financial shape? In particular, can he confirm that the Halton CAS ran out of money at the end of October?

Hon David H. Tsubouchi (Minister of Community and Social Services): Since it's a specific question about the Halton CAS, what the Halton CAS has agreed to do with the ministry is a review of both its financial and procedural administration at the Halton CAS.

Secondly, the ministry has also agreed to ensure that the services can be provided to the end of the year certainly, until we can see what their new budget is, and we've agreed to guarantee that.

Mr Cooke: The Halton CAS can provide services to the end of the year because your government has had to provide for emergency funding for November and December because their regular budget ran out at the end of October. So can the minister also confirm that the Peel children's aid society is in similar difficulty, that York is in similar difficulty, that the Rainy River CAS is also in difficulty, that Thunder Bay is also in difficulty? And can the minister tell us and tell the public how he can guarantee the safety of children in this province when he knows that the primary role of the children's aid societies is protection of children who are potential victims of physical and sexual abuse and that children's aid societies across this province are in deep financial trouble because of your cuts, are laying off social workers, and that those services can no longer be guaranteed and that children are in deep trouble?

Hon Mr Tsubouchi: The reason why a lot of organizations around the province are in trouble is not because of our attempts to try to make things better. It's because of this mess we've inherited from the previous government, and clearly, they don't want to face up to this reality. When we formed the government, we opened up Fibber McGee's closet and we got rolled under by all the stuff that was in there. It's absolutely crazy.

But the honourable member is pointing out a very important point and what I will say to you is—and I've said this before in the House—but several of the organizations dealing with protection of children, including the Ontario Association of Children's Aid Societies, have—

Mr Cooke: You haven't met with them yet, and they've been asking for a meeting for three months. You have not met with them.

Hon Mr Tsubouchi: Actually, I have met with them already and I would suggest that the honourable member is saying to me across the House that we haven't met

with the Ontario children's aid society and in fact, we have. In fact, they've also agreed to be on my advisory committee to deal with the structure and to deal with the core services and how we're going to deal with this terrible situation that we've inherited. They've agreed to be on the advisory committee to work for the protection of the children with the government.

VEHICLE SAFETY

Mrs Margaret Marland (Mississauga South): My question is to the Minister of Transportation. Last April, one of my constituents, James Tyrrell Jr, was tragically killed when a flying truck tire struck his car on the Queen Elizabeth Way. The coroner's inquest into Mr Tyrrell's death is over and the jury has made several recommendations to improve truck safety. These recommendations are enthusiastically supported by the Ontario Trucking Association and the Ontario Provincial Police. Shortly after the conclusion of the inquest, the Minister of Transportation promised swift action to increase existing fines and to crack down on unsafe truck drivers and owners.

Can the minister tell this House how and when he will act on the recommendations of that inquest?

Hon Al Palladini (Minister of Transportation): I would like to assure my esteemed colleague and all Ontarians that truck safety and road safety are a priority of this government. Since the change in government, we have stepped up enforcement and we are certainly going to continue to do just that.

We have also announced a comprehensive road safety plan that does address truck safety and we have had much OPP input and consultation and input from the Ontario Trucking Association. Many of the inquest recommendations are already in place and certainly, there are other things in there that we will consider. We are studying pretty well the jury's recommendations on what can be added to our present plan.

1500

Mrs Marland: I thank you for your response, Minister. I'm certainly happy to hear that you will also be meeting with Paula Tyrrell to discuss the recommendations of the inquest. While improving truck safety will not ease Mrs Tyrrell's loss, it will help her to know that we are doing everything possible to prevent injury and loss of life from unsafe trucks on our highways.

I'm also pleased that the government is already acting, as you have just said, on several of the inquest's recommendations. Can you expand further on the actual contents of the road safety plan and how it will improve not only truck safety but also road safety in general?

Hon Mr Palladini: I met with the Worona family last week and I assured them that this government is very serious and we are going to get tough with bad operators.

Our road safety plan includes rating carriers. We're going to share that information with the people whom they do business with and we're going to encourage these people not to do business with the bad operators.

In our plan, there is also going to be brake training and axle weight enforcement, something, I might add, as far as axle weight enforcement, that the last two governments just failed to act upon.

We are also looking at raising fines and we are also going to be looking at implementing a demerit point system for safety violations. We are also looking at implementing a graduated truck driver's licence, and bus driver's. This government is going to do more for truck safety than the last two governments did in 10 years.

JOBS ONTARIO

Mr Gerry Phillips (Scarborough-Agincourt): My question is around the Provincial Auditor's report today. The question would be, I guess, to the Minister of Economic Development, Trade and Tourism.

The document outlines, I think, a series of horror stories around a program in your ministry called the Jobs Ontario Community Action fund, where about \$135 million has been spent. Among other things in the report, it says there was one project where \$516,000 was spent, \$248,000 provided by your ministry.

The auditor said the project had only one tangible output, that was, "a total of seven days of training for a class of 30 individuals." In other words, the province spent about a quarter of a million dollars for seven days of training for 30 people, including \$120,000 for organizational seed money.

It then goes on to say that your ministry was supposed to conduct follow-up reviews of those, and the auditor says, "We found no evidence that any such inspections have been completed to date." In other words, your ministry has spent about \$135 million, and the auditor says that no inspections have been completed to date.

Can the minister assure the House that you have reviewed this project and that no one who has received this money has done so without a legal basis?

Hon William Saunderson (Minister of Economic Development, Trade and Tourism): To the member for Scarborough-Agincourt, I'd like to say that I have read the auditor's report concerning my own ministry. Quite frankly, I am appalled with the lack of controls and the systems that were in place to monitor how all projects were to be surveyed as they progressed.

I'm very happy to report that, as this report really was for business concluded as of March 31 of this year, and that was in the previous government's time, from now on—and I agree with everything the auditor has said—we will be certainly scrutinizing and accepting all of his suggestions so that nothing like this will ever happen again. It's a travesty. I'm just assuring you, Mr Speaker, and the member that I'm sure this will not happen again.

Mr Phillips: I think the minister could not have been listening to the question. I said that your ministry has the responsibility, for three years after the grant is made, to do follow-up inspections.

The question is your responsibility. Have those inspections taken place? Have you assured yourself that these grants are fair and these grants are legally done? If not, is it your intention to recover any funds that have been granted for which there is not legal justification? It is now your responsibility to do the follow-up inspections as per the agreement. Have they been done? Is it your intention to follow up and recover funds that should not have been granted, that haven't been used for the appropriately approved facilities?

Minister, you can't wipe your hands of this. You have responsibility for three years to follow up. Is it your intention to do that and will you be recovering the moneys that should not have been allocated?

Hon Mr Saunderson: In response to the honourable member's supplementary question, as he knows and as the House knows, projects that were not legally committed to were terminated—or frozen, I should say—by the July 21 statement by the Minister of Finance. The ones that are proceeding of course will receive our closest scrutiny to make sure that they are properly completed. At any time that member wishes to ask on progress, we will be able to report on that.

But as a chartered accountant I can assure him that the controls that are suggested are realistic. It's just a very pathetic situation that we are left with such a mess to clean up after the previous government.

ALTERNATIVE FUELS

Mr Howard Hampton (Rainy River): I have a question for the Minister of Agriculture, Food and Rural Affairs. Two weeks ago, your government withdrew partnership investment funding from two ethanol fuel manufacturing plants, one in Chatham and one in Cornwall. The two plants would have created over 120 new, permanent, full-time jobs and would have been a great stimulus to the agricultural sector, particularly corn producers in the province.

The president of one of the plants, Commercial Alcohols, the Chatham project, has said that your government's withdrawal of partnership investment funding is a major threat to the project and creates serious doubt about the viability of the project in Chatham. Can the Minister of Agriculture justify killing jobs and new economic opportunities in the agricultural sector, and especially in rural Ontario?

Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs): To my esteemed colleague opposite, I am pleased to have that question. This minister and this government believe in the ethanol industry, an environmentally friendly fuel that is presently produced in Ontario and will continue to be produced in Ontario, and I and this government still very much support the ethanol industry.

Mr Hampton: We are well aware of the minister's rhetoric when he was in opposition, and he's trying to repeat that now. But this is the head of one of the companies, who was planning on making that investment, and he says—and he says it publicly—that your withdrawal of funding is a major threat to the project and it's a major threat to the spinoff industries that could have occurred around this.

Now, your government has found money, \$12 million announced by your colleague the Minister of Consumer and Commercial Relations, for some corporations a couple of weeks ago. You're going to give that to them, and you've indicated that you've got great tax cuts that you want to give to wealthy Ontarians, yet you're abandoning something that would have major job-producing prospects and major economic stimulus for corn

producers in the province and the agricultural sector. How do you justify that? How do you justify tax cuts for some but an abandonment of the agricultural sector?

Hon Mr Villeneuve: Again to my colleague opposite, the word "abandon" is not correct. This minister and this government support the ethanol industry, support the use of ethanol and support the production of ethanol here in the province of Ontario.

1510

AGRICULTURAL TRADE

Mr Leo Jordan (Lanark-Renfrew): My question is for the Minister of Agriculture, Food and Rural Affairs. In my riding, and I'm sure across the province, the producers of poultry and the dairy industry are very concerned about the negotiations going on with NAFTA. As you know, and anyone in the rural ridings understands, the dairy industry especially is very dependent on the supply management program.

Minister, could you advise this House and the people of Lanark-Renfrew to relax, that the negotiations are still going on and that supply management will be saved?

Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs): To my colleague from Lanark-Renfrew: I want to assure him and indeed the dairy and feather industry that this government and this minister support the federal government.

I have spoken recently with the Honourable Ralph Goodale. We now have a panel that will be renegotiating and indeed fighting to maintain what was signed in the North American free trade agreement. We support the federal government. The Americans want to rewrite the rules that they agreed to some years ago when they signed the deal. They don't only want to rewrite the rules, they want to be the referees of the rules, and we are going to protect the dairy and feather industry.

Mr Jordan: The people would like to know how soon this decision will be made.

Hon Mr Villeneuve: It is presently being heard with the NAFTA panel. We have two Canadians, two Americans and an independent chair, and it is presently being arbitrated as we speak.

PETITIONS

LABOUR LEGISLATION

Mr Tony Ruprecht (Parkdale): I have a petition to the Legislature of Ontario:

"Whereas the Minister of Labour has introduced legislation, Bill 7, to drastically amend the Labour Relations Act, the Employment Standards Act and other labour legislation which had been brought forward by successive Progressive Conservative, Liberal and New Democratic governments in the recognition of the legitimate rights of employees in Ontario;

"Whereas the implementation of Bill 7 will undermine the fundamental democratic rights of employees to organize and to have access to collective bargaining;

"Whereas employers have raised concerns about how Bill 7 will result in an increased number of strikes; and

"Whereas the Minister of Labour is proceeding with Bill 7 without consultation with employee groups and without conducting public hearings;

"We, the undersigned, petition the Legislative Assembly of Ontario to urge the Minister of Labour to withdraw Bill 7."

I've attached my signature to this document.

Ms Marilyn Churley (Riverdale): To the Legislative Assembly of Ontario:

"Whereas the Minister of Labour has introduced legislation, Bill 7, to drastically amend the Labour Relations Act, the Employment Standards Act and other labour legislation which had been brought forward by successive Progressive Conservative, Liberal and New Democratic governments in the recognition of the legitimate rights of employees in Ontario;

"Whereas the implementation of Bill 7 will undermine the fundamental democratic rights of employees to organize and to have access to collective bargaining;

"Whereas employers have raised concerns about how Bill 7 will result in an increased number of strikes; and

"Whereas the Minister of Labour is proceeding with Bill 7 without consultation with employee groups and without conducting public hearings;

"We, the undersigned, petition the Legislative Assembly of Ontario to urge the Minister of Labour to withdraw Bill 7."

I will affix my signature to this petition.

PROPERTY ASSESSMENT

Mr Gary Carr (Oakville South): I've been asked by constituents of my riding to table a petition which reads as follows:

"Whereas the Oakville Citizens' Committee on Property Tax Reform and the town of Oakville council have requested the province of Ontario to review and consider the issue of property tax reform; and

"Whereas the town of Oakville council has called on the provincial government to impose an immediate moratorium on region-wide market value assessment;

"We, the undersigned, petition the Legislative Assembly of Ontario to impose an immediate moratorium on region-wide market value assessment pending the province's review and consideration of the issue of property tax reform."

That is signed by approximately 2,000 people from my riding of Oakville South.

HIGHWAY SAFETY

Mr Frank Miclash (Kenora): I have a petition to the Legislative Assembly of Ontario and it reads:

"Whereas the Minister of Transportation is intent on reducing northern winter road maintenance services; and

"Whereas such downgrading places the lives of northern residents at undue and unnecessary risk;

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow these reductions in service and to guarantee that winter roads across northern regions of the province receive the necessary maintenance to ensure the safe passage of vehicles."

That's signed by many constituents from places like Vermilion Bay, Dryden, Eagle River, Waldhof and Kenora in my riding.

SERVICES À LA JEUNESSE DE HEARST

Mr Len Wood (Cochrane North): I have a petition here signed by hundreds of people from the town of Hearst. I was at a reception with about 350 people last Wednesday night, and this petition expresses our disagreement with the decision taken by the Harris government to cut funding for the services out of Jeunesse de Hearst youth services.

We feel that services at Jeunesse de Hearst, including the youth centre, the Camp Source de Vie and the Coopérative Jeunesse au Travail respond to the essential needs of youth in our community. The elimination of services of the Jeunesse de Hearst Inc will have serious repercussions on the quality of life of the local youth.

The petition is signed by hundreds of people from the town of Hearst who are opposed to the cuts of the Mike Harris government.

TIGGER THE CAT

Mr Derwyn Shea (High Park-Swansea): I'd like to present a petition signed by supporters of Tigger the cat in his fight with those health officials who want to keep this friendly feline out of a local tea shop. We believe this issue pits community spirit and common sense against public health legislation that may be out of date and at the very least requires immediate review by the appropriate authorities in the Ministry of Health.

This petition is signed by thousands of constituents who beg a quick review and a speedy return of Tigger to his station at Say Tea in the heart of Bloor West village, and I'm proud to add my name to this petition.

The Speaker (Hon Allan K. McLean): The member for Hamilton East.

Interjection: He hasn't behaved himself today.

Mr Dominic Agostino (Hamilton East): I promise I'll behave tomorrow.

CHILD CARE

Mr Dominic Agostino (Hamilton East): The Hamilton area child care resource centres have been providing an important service to families in the community for over 10 years. The service includes community information, guest speakers for parent and caregivers with knowledge regarding parenting and child care skills, daily play groups for children, adult resource library, toy and book lending library and discussion groups. Approximately 200 parents and children use these services on a weekly basis. It's a good indication that the centre is a vital service to the community.

The individuals who signed the petition urge "the province of Ontario and the Ministry of Community and Social Services not to further reduce dollars flowed to the Hamilton Child Care Resource Centre. These centres are funded by the Ministry of Community and Social Services and the programs are preventive and educational by nature and play a vital role in supporting the informal child care sector, thus providing service to many community families. Please continue the funding."

I'm pleased to add my name to this petition.

SERVICES À LA JEUNESSE DE HEARST

M. Gilles Bisson (Cochrane-Sud) : J'ai ici une pétition soussignée par des milliers de personnes des environs de Cochrane-Nord faisant affaire avec les Services à la Jeunesse de Hearst. La pétition se lit comme suit :

«La présente pétition affirme notre désaccord avec la décision du gouvernement Harris de couper les subventions des Services à la Jeunesse de Hearst Inc. Nous considérons que les Services à la Jeunesse de Hearst, incluant la Maison des jeunes (La Limite), le Camp Source de Vie, et la Coopérative Jeunesse au Travail, répondent à des besoins essentiels des jeunes de la communauté. La disparition des Services à la Jeunesse de Hearst Inc entraînera des répercussions sérieuses sur la qualité de vie de la jeunesse locale.»

J'y affixe ma signature.

ST STEPHEN'S SECONDARY SCHOOL

Mr John O'Toole (Durham East): I rise today to present a petition to the Premier and the Minister of Education. This petition is from the students and parents of the St Stephen's Secondary School in the municipality of Clarington. Their petition outlines and petitions the government to complete the funding of St Stephen's Secondary School, which is currently a rented facility at the cost of \$600,000 per year. They are looking for a new school.

1520

HOSPITAL RESTRUCTURING

Mr Monte Kwinter (Wilson Heights): I have a petition to the Legislative Assembly of Ontario.

"Whereas the report of the Metropolitan Toronto District Health Council hospital restructuring committee has recommended that North York Branson Hospital merge with York-Finch General Hospital;

"Whereas this recommendation will remove emergency and inpatient services currently provided by North York Branson Hospital, which will seriously jeopardize medical care and the quality of health for the growing population which the hospital serves, many being elderly people who in numerous cases require treatment for life-threatening medical conditions;

"We petition the Legislative Assembly of Ontario to reject the recommendations contained within the report of the Metropolitan Toronto District Health Council hospital restructuring committee as it pertains to North York Branson Hospital so that it retains, at minimum, emergency and inpatient services."

It's signed by many of my constituents, and I have added my name as well.

CHILD CARE

Mr Tom Froese (St Catharines-Brock): I have a petition by the Niagara Child-Adult Resource Exchange Cooperative with 65 signatures stating:

"We, the undersigned, are firmly opposed to the erosion of the child care system. We are most particularly concerned about the unregulated child care sector, which represents the choice of most Ontario families, many living in rural areas. We urge this government to make its budget reductions in areas where children and families

will not once again be the target of cuts. Family resource programs support the informal sector of child care, which includes parents caring for their own children and care provided by grandparents, home child care providers and nannies."

I affix my name to this petition.

COMMUNITY-BASED JUSTICE OPTIONS

Mr Richard Patten (Ottawa Centre): I rise today to present a petition that has been organized by the Ontario Community Justice Association of Ottawa-Carleton. The members are concerned that these programs will be seriously affected by upcoming funding cuts and petition to the Legislative Assembly as follows:

"Whereas during the 1970s the government of the day developed measures that curbed the growth of government by involving local communities in the provision of legal services; the criminal justice field began to recognize the benefits of community-based justice options; privatization was considered more cost-effective while strengthening government ministries through community participation in the justice system;

"Since this time, non-profit agencies across Ontario have developed effective programs and present a strong local face to the justice system while supporting partnerships with an ever-widening community base. Community programs have proven to be effective in comparison to directly operated government services. Community-based options reduce the cost of incarceration while promoting public safety.

"Whereas community-based justice programs such as community service orders, diversion, alternative measures, bail supervision etc have proven value; the screening and supervision of accused and offenders within well-defined programs contribute to public safety; for over 20 years community-based options have made a positive contribution to the welfare of community in Ontario;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We believe these programs must not be viewed as dispensable. As with many recent cuts, short-term fiscal expediency holds no long-term value. Credible links with the community and quality programs for the citizens of Ontario must be maintained."

The petition is signed by over 700 individuals, and as a former Minister of Correctional Services I'm pleased to support it and have signed the petition as well.

HOSPITAL RESTRUCTURING

Mr Mike Colle (Oakwood): It's my pleasure to bring forth a petition of 9,000 names. These are people who are very concerned about the Metropolitan Toronto District Health Council, which has put forth a proposition of closing one of Ontario's best hospitals, Northwestern General Hospital.

"To the Legislative Assembly of Ontario:

"Whereas the Metropolitan Toronto District Health Council hospital restructuring committee has recommended to close Northwestern General Hospital and merge all programs and services with Humber Memorial Hospital on Humber's site;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the recommendation of the Metropolitan Toronto District Health Council to close Northwestern General Hospital be rejected by the government of Ontario and that it keep Northwestern hospital open."

I present this petition to the Minister of Health, the Honourable Jim Wilson, and to Premier Mike Harris.

CHILD CARE

Mr Rick Bartolucci (Sudbury): "To the Legislative Assembly of Ontario:

"Whereas the region of Sudbury's child care system provides high-quality early childhood programming; provides intervention services which identify and assist those families at high risk, thereby creating a healthier society; provides integration programs for children with special needs, thereby creating an inclusive society; works with the private and non-profit sectors, including group care, private home day care and family resource centres, all of which support the choices of working and stay-at-home parents; strives to provide parents with the child care choices that the Ontario government has identified as their mandate; ultimately saves future tax dollars by increasing high school completion rates and making our youth more employable, decreasing teenage pregnancies and drug use and lowering the incidence of juvenile crime;

"We, the undersigned, believe that further government cutbacks will jeopardize the child care system in the region of Sudbury.

"We therefore urge the Legislative Assembly of Ontario to refrain from any further reductions to child care funding in the region of Sudbury."

It is signed by 2,061 people.

CHILD ABUSE

Mr John O'Toole (Durham East): I rise again today to present a petition to this House. It is from the residents of my riding, Durham East, in the province of Ontario.

"We ask that our Parliament act on our plea for an enlightened and merciful law for the unborn. Such a law would require a prisoner convicted of sadistic cruelty or convicted of repeated child molesting to submit to sterilization as part of the condition for his/her release after serving the requisite prison term."

HIGHWAY SAFETY

Mr Michael Gravelle (Port Arthur): I have a petition that's attracting a great deal of interest and concern across northern Ontario and in fact across the entire province.

"Whereas the Ministry of Transportation is intent on reducing northern winter road maintenance services; and

"Whereas such downgrading places the lives of northern residents at undue and unnecessary risk;

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow these reductions in service and to guarantee that winter roads across the northern regions of the province receive the necessary maintenance to ensure the safe passage of drivers."

I'm proud to sign my name to this.

Mr Michael A. Brown (Algoma-Manitoulin): I too have a petition to the Legislative Assembly of Ontario.

"Whereas the Ministry of Transportation is intent on reducing northern winter road maintenance services; and

"Whereas such downgrading places the lives of northern residents at undue and unnecessary risk;

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow these reductions in service and to guarantee that winter roads across the northern regions of the province receive the necessary maintenance to ensure the safe passage of drivers."

This is signed by numerous of my constituents in places like Spanish, Cutler, Sagamok and some in Sudbury and Elliot Lake.

INTRODUCTION OF BILLS

REALTY TAX FREEZE

STATUTE LAW AMENDMENT ACT, 1995

LOI DE 1995 MODIFIANT DES LOIS ET VISANT À GELER LES IMPÔTS FONCIERS

Mr Carr moved first reading of the following bill:

Bill 17, An Act to amend various Statutes to freeze Realty Taxes / Projet de loi 17, Loi modifiant diverses lois et visant à geler les impôts fonciers.

The Speaker (Hon Allan K. McLean): Is it the pleasure of the House that the motion carry? Carried.

Does the member have a short statement?

Mr Gary Carr (Oakville South): Yes. This bill amends various statutes to freeze the amount of all realty taxes levied in 1996 at their 1995 levels, both in municipalities and territories without municipal organizations. That will be my private member's resolution on November 30.

CITIZENS ASSEMBLY PROJECT ACT, 1995

LOI DE 1995

SUR LE PROJET D'ASSEMBLÉE DE CITOYENS

Mr Chiarelli moved first reading of the following bill:

Bill 18, An Act to provide for the establishment of Citizens Assemblies and the expedited consideration by the Legislative Assembly of Legislation prepared by Citizens Assemblies / Projet de loi 18, Loi prévoyant la mise sur pied d'assemblées de citoyens et une procédure accélérée pour l'étude, par l'Assemblée législative, des projets de loi rédigés par ces assemblées.

The Speaker (Hon Allan K. McLean): Is it the pleasure of the House that the motion carry? Carried.

Does the member have a short statement?

Mr Robert Chiarelli (Ottawa West): This is reintroduction of a bill which had been introduced in the last Parliament dealing with parliamentary reform, and the bill at that time received much favourable comment.

The bill establishes a pilot project whereby certain public policy issues defined by the Lieutenant Governor in Council would be examined by citizens' assemblies established under the bill with the view to preparing legislation for consideration by the Legislative Assembly in accordance with the expedited procedures set out in the bill.

ORDERS OF THE DAY

WORKERS' COMPENSATION AND OCCUPATIONAL HEALTH AND SAFETY AMENDMENT ACT, 1995

LOI DE 1995 MODIFIANT LA LOI SUR LES ACCIDENTS DU TRAVAIL ET LA LOI SUR LA SANTÉ ET LA SÉCURITÉ AU TRAVAIL

Mrs Witmer moved second reading of the following bill:

Bill 15, An Act to amend the Workers' Compensation Act and the Occupational Health and Safety Act / Projet de loi 15, Loi modifiant la Loi sur les accidents du travail et la Loi sur la santé et la sécurité au travail.

1530

Hon Elizabeth Witmer (Minister of Labour): I am pleased today to move second reading of this important piece of legislation which represents a very crucial first step in the government's two-stage initiative to completely overhaul the financially troubled Workers' Compensation Board.

The legislative package before us today launches the process of restoring the long-term financial viability of the Workers' Compensation Board and making the system serve the interest of workers and employers in a more efficient, caring and cost-effective manner. At the same time, the changes will improve Ontario's ability to attract new investment and create jobs.

It will establish the Workers' Compensation Board as part of the economic environment to create more prosperity for all of the people of our province.

Bill 15 has two fundamental objectives. The first is to change the governance structure. The present one has paralysed decision-making. The second objective is to put the system on a sound financial footing. At the same time, we must focus on service quality and regain the confidence and the support of all stakeholders.

The changes in Bill 15 will bring stronger management accountability and leadership to the board, and it will provide the service that is so necessary to the workers and the employers. It will also give the board the tools it needs to aggressively attack fraud in all its forms, fraud which is potentially costing the board many millions of dollars each year.

These measures will set the stage for future comprehensive reform of the WCB. Future reform will be done by my colleague Cam Jackson, the Minister without Portfolio responsible for worker's compensation reform.

His report, based on a major review of the system, will provide a comprehensive financial package that will stabilize the system over the long term and eliminate the board's unfunded liability by the year 2014.

It is clear that the government must act decisively in order to ensure that the board can meet its future financial obligations to injured workers and also provide the necessary relief to employers who are struggling under the burden of the second-highest WCB premiums in Canada.

As other provinces in Canada have done and are doing, we must gain control of our workers' compensation

system. The government will fulfil its election promises to eliminate the board's huge unfunded liability by the year 2014 and to return the WCB to its original concept, as envisioned by Meredith, as a workplace accident insurance plan.

The government is moving ahead carefully and deliberately to fix the problems facing the board. We do not want to repeat the mistakes that were made by past governments. Our reforms will be sustainable and will lead to long-term stability. We owe it to the people of this province to finally fix the massive problems facing the board. A quick review of the facts shows clearly that the workers' compensation system is now on the brink of a financial crisis. The board's staggering unfunded liability is presently at \$11.4 billion. In 1984, it was at \$2.7 billion.

To understand the full magnitude of the problem that we have, let us examine the funding ratios of workers' compensation systems across Canada. Funding ratios are the ratios of total assets to total liabilities. In other words, they are the total assets that you have today versus what you would have to pay if all your liabilities became due today. In the WCB's case, these liabilities include pensions and future economic loss payments for injured workers. In Ontario, in 1994 the funding ratio was 37.4%. That means that if the board had to pay out all of its obligations today, it would only be able to provide 37.4 cents for each dollar it owed injured workers. Compare that to the province of Saskatchewan where the funding ratio is 113.7%, and to British Columbia where the ratio is 95.8%. Clearly, things are out of line in Ontario.

If action is not taken on the unfunded liability, the results will mean even greater increases in WCB rates for Ontario employers. And as I said before, the rates are already the second highest in Canada. In 1995, the average employer's assessment rate in Ontario was \$3 per \$100 assessable payroll. Compare this to the \$2.60—

Interjection.

The Acting Speaker (Mr Gilles E. Morin): The member for Lake Nipigon, please.

Hon Mrs Witmer: —per \$100 in the neighbouring province of Quebec. If we take a look at British Columbia, the rate there is \$2.26, and New Brunswick's rate is \$1.70. Because prospective investors recognize the high cost of workers' compensation in Ontario and the prospect of even higher costs in the future, this is having a very serious impact on our ability to encourage new job creation and encourage investment in this province. That has a very negative impact on all people in this province, because we want to encourage investment and we want to encourage employers to expand and create new jobs.

So despite the huge cost of our system, which I've indicated to you is the second highest for employers in Canada, things are not working well even though the costs are high. For example, the WCB has had to dip into its long-term reserves for the past few years to meet its yearly operating expenses. Again, that has put the needs of injured workers at further risk. If we continue to dip into our long-term reserves and into our asset base, we're not going to make any progress towards dealing with the unfunded liability. You put on top of that a system that

does not serve injured workers or employers and you have very serious problems.

1540

I know that every member of this House has numerous examples of constituents who are dissatisfied with how long it takes the board to process and resolve their concerns. Workers face excessive delays when they file their claims. The problem seems to be particularly severe when it comes to complex claims for workers. Employers are also having difficulties around the length of time it takes to resolve the conflicts involving the amount of their premiums. So both workers and employers have said to us that the overall appeals process is too slow, it is too cumbersome, it's too drawn out. Action needs to be taken and taken now.

I also want to address the problems that the WCB has with fraud. Just like private insurers, this board faces fraud and other abuses of the system by employers, by suppliers, by workers and by others. The board faces three major kinds of external fraud: the claimant-worker fraud, the employer fraud and the fraud of non-compliance, and service provider fraud.

Based on the private insurers' experience, fraud at the WCB could cost up to 5% of the overall cost of the system each year. With yearly expenditures of close to \$3 billion at the WCB, this experience suggests that fraud may be costing us as much as \$150 million annually.

I think that members will agree that after reviewing the multitude of problems facing the WCB, one might begin to ask—

Interjections.

The Acting Speaker: Order. There is a period which is called questions and comments. Please take advantage of that.

Mr Len Wood (Cochrane North): I want her to stick to the truth.

The Acting Speaker: Order. Otherwise I'll ask you to leave the House.

Mr Wayne Wettlaufer (Kitchener): On a point of order, Mr Speaker: The honourable member alleged that the minister told other than the truth.

The Acting Speaker: If you've said that word, which I didn't hear because I was preoccupied with this group, I would ask you to withdraw it.

Mr Len Wood: I did not say exactly what the member accused me of saying.

The Acting Speaker: I ask you to withdraw.

Mr Len Wood: I said I want the truth. I will withdraw it, but I want to hear the facts, what's going on.

The Acting Speaker: Take your seat. Minister.

Hon Mrs Witmer: Many people ask: How did we ever get into such a mess in the first place? Why were steps not taken to deal with these problems before they reached the crisis proportions that we have today? Unfortunately, a large part of the blame for the lack of progress in tackling the WCB's many problems can be laid at the feet of the board's present governance structure. To put it simply, the governance system is broke.

Unfortunately, the bipartite, labour-versus-management approach has paralysed constructive decision-making on very crucial administrative, policy and financial issues facing the board, such as—and this was referred to by my colleague this afternoon—the financial improvement package that would have and could have resulted in \$400 million in savings.

Unfortunately, the bipartite board was also ineffective in dealing with very crucial policy issues, such as those concerning work-related stress and entitlement, even when legislative requirements demanded action.

This government recognizes that the structure of governance is not working, just as bipartism did not work at the Workplace Health and Safety Agency. In fact, it's interesting to note that in response to the failure of the bipartite system, the NDP government in British Columbia recently also found it necessary to remove its bipartite board of governors and replace it with a panel of administrators. I can tell you that fixing the governance structure is a key component of the proposed reforms in Bill 15 and it is an important step towards all future reforms.

I now want to provide the members with some detail on the specific legislation before the House today.

The bill amends the Workers' Compensation Act to clear the way for a new governance model, a multi-stakeholder board of governors. These boards have achieved tremendous success recently in both Alberta and Manitoba. They have improved in those provinces not only the financial position but also service delivery to their clients. They have also avoided the very divisive and confrontational aspects of bipartism which often have led to deadlock within our own system.

This board must be prepared to govern the WCB as it evolves from a bureaucracy to a modern business entity. This new multi-stakeholder board will include representatives of workers, employers and others, such as the members of the medical community, the insurance community and the rehabilitation community, others who will bring a different perspective to the Workers' Compensation Board, thereby resulting in better, more responsive management and decision-making.

Until the new board is established, the WCB will be run by its interim president, Kenneth Copeland. I would also like to tell the House that recruitment for a new president is well under way, and the new president will have the mandate to completely overhaul the operations of the WCB, which of course are desperately needed.

The legislation will also strengthen financial accountability at the WCB and ensure that the board employs sound financial management practices as it begins the process of overhauling the system. We will be demanding that there be five-year strategic plans provided in order to ensure financial accountability.

Bill 15 defines the WCB relationship to government. It makes it more financially accountable to government, and therefore to the stakeholders and all Ontarians. Specifically, accountability will be strengthened through the provisions that will require the board to provide the Minister of Labour with the five-year strategic plans that I referred to, as well as a statement of priorities, as well

as their investment policies. The section of the act dealing with the duties of the board of directors will place an additional duty on board members to act in a financially responsible manner. Finally, the legislation strengthens the purpose clause of the act to ensure that financial accountability is a key consideration in all aspects of the system.

The legislation also establishes value-for-money audits that will ensure the board's programs and operations are efficient, effective and financially sound. Value-for-money audits are a business practice used by well-run organizations to ensure that efficiency, economy and effectiveness are achieved in the delivery of all programs.

The amendments also include measures to stem the loss of revenue owed to the WCB, strengthen anti-fraud measures and eliminate abuses of the system. For the first time, the board will have the necessary tools to aggressively attack fraud, all forms of fraud, whether perpetrated by employers, suppliers or workers. The amendments will make it an offence under the act to obtain benefits or to receive compensation by deliberately providing false or misleading information. Persons found guilty will be subject to penalties under the act.

1550

The bill also imposes an explicit requirement that employers who are required to register with the WCB do so. Failure to register will be an offence under the act, subject to penalties.

In addition, the amendments will give the WCB the authority to recover any overpayment it has made to both employers and workers, and the WCB will be given the right to deduct any money it is owed by a person from money it pays out to that person.

Taken together, these anti-fraud measures will help the WCB wage a much more effective campaign against fraud and other revenue losses that cost the board so much money every year. More importantly, they will ensure that the board has sufficient funds to cover the very legitimate claims of so many injured workers and that all employers who are required to fund the system pay their fair share.

The changes in this bill begin the difficult process of overhauling the WCB. As I mentioned at the outset, this sets the stage for the further reforms now under study by Mr Jackson. His report, which is expected next spring, will provide the integrated financial savings package that will eliminate the unfunded liability, and it will fulfil the government's commitment to deal with the issue of benefit levels, entitlement and assessment rates. These actions will enable us to turn the WCB around.

The changes in Bill 15 are an important first step in restoring the long-term financial viability of the Workers' Compensation Board and making the system serve the interests of the employers and the workers in a much more efficient, caring and cost-effective manner. That is the goal I urge all members of this House to support by approving this most important piece of legislation.

The Acting Speaker: Are there any questions or comments? Further debate?

Mr Dwight Duncan (Windsor-Walkerville): I'd like to begin today by talking a little bit about Sir William

Meredith and what it is he originally established. Sir William wasn't from Windsor, of course, but what he did between 1912 and 1914 was unique, shrouded in deep study, and he incorporated four basic principles.

He was charged by the government of the day to study the issue of laws relating to the liability of employers to make compensation to their employees for injuries in the course of their employment.

Meredith studied systems all over the world. He did a comparative analysis. He held hearings. He met with the experts of his time. He studied the failings of the system, as they knew it in those days, the tort system, which would require employees to sue their employer in the event of an accident.

Sir William reported back initially to the Legislature in 1912, and his final report was established and finished in 1914. That report formed the basis of the system we have in this province today. Indeed, it formed the basis of systems that have come into place in many, many other jurisdictions since that time.

Sir William established four principles of compensation. The first was the no-fault principle, the principle that eliminated the question of negligence. It provided, in effect, protection for employers.

Sir William established also the principle of statutory benefits, a principle that emphasizes that following an accident, the need of the injured worker was the most important consideration—far-sighted in his day. I repeat, the need of the injured worker was the most important consideration.

The third principle he established was the principle of collective liability. Compensation costs must rest solely on employers who are collectively liable. Employers insure themselves and insure one another.

The final principle he established was the notion of independent administration. At the time, he recommended and designated a three-member commission which was to be appointed by the Legislature, the Lieutenant Governor in Council, to administer the Workmen's Compensation Act and all of its provisions.

As we look at those principles today, we can indeed relate back to them. The no-fault principle: Employers enjoy relief, they enjoy protection from being sued by those workers who are injured or become sick in their workplace.

Statutory benefits: The need of the injured worker is the most important consideration the board must undertake. That's important, because I think given this government's record on Bill 7 and other areas, they really don't put the workers first and they certainly will not put injured workers first.

Collective liability: Employers pay for a form of insurance. Their assessments are an important cost of doing business and the minister is quite correct that those costs are higher in this province than in every other jurisdiction in the country but Newfoundland, I believe. But we also have the most sophisticated employment base or industrial base ranging from mines, the auto industry, the steel industry, the forestry industry, the agricultural industry, gambling—a very important industry in this

great province. It employs more than 2,600 people in my community.

The Northern Belle is floating today down Lake Erie soon to dock at the foot of McDougall Street in the great riding of Windsor-Walkerville, the riding which I have the honour to represent in this House. That initiative will employ an additional 600 people in good-paying jobs, some making as high as \$40,000 to \$50,000 a year, the lowest making probably in the \$9 to \$10 an hour range.

But back to the issue of collective liability. Employers pay those costs and the cost associated with WCB must always be at the forefront of this Legislature's consideration and at the forefront of the consideration of the board of the WCB.

1600

The question of administration is important both to employers and to injured workers. The principle of an independent administration so that the board could be run as a true no-fault form of insurance is extremely important, and many of the problems we see today are the result of bad administration and administrative decisions that sometimes are simply impossible to understand.

Workers' compensation in this province and indeed across this country is based on the historic compromise as envisioned by Sir William, the compromise that sees workers giving up their right to sue employers at common law in return for a comprehensive, no-fault, public compensation system. "Compromise." "Moderation." Words that are not taken into consideration, certainly not into due consideration, by the government of the day.

In reviewing these principles, I think we need to say that the principle of collective liability must be adhered to, whereby in return for freedom from lawsuits brought by workers injured on the job, employers bear the burden of occupational injuries and disease collectively by paying their assessments into the central fund. The principle must be upheld, and any amendments to the Workers' Compensation Act or its regulations must always keep that principle at the forefront as well.

In the last election, our party reaffirmed its commitment to these principles. Indeed, we advocated a fifth principle, which would ensure that an injured worker has the inherent right to re-employment status and access to vocational rehabilitation. We think it's important to recognize that. We think it's important to appreciate what it is that an individual injured at work or who becomes sick at work must face.

In addition to the pain and suffering, in addition to the difficulties associated with lost income, the employee must worry about whether or not he or she can go back to his or her original job or can be trained to do another job. We think as a principle, and have advocated that as a principle, injured workers have that inherent right, the inherent right to re-employment and the inherent right to vocational rehabilitation where the injured worker cannot return to his or her previous employment.

By reaffirming our commitment as a Legislature to these principles, we in fact reaffirm our commitment both to employers and to workers—injured workers. These principles, as contained in section 0.1 of the act, are

extremely important, and as we contemplate amendments to that particular section of the act, as Bill 15 does, we must constantly and continually remind ourselves of those principles as we attempt to make the system work better for everyone in it.

And most important, and I say this to the government as sincerely as I can, as we bring about changes to the governance, to the administration of the Workers' Compensation Act and board, we must bear in mind that the system must serve injured workers as well as the employer community.

You know, Sir William was a Conservative, I believe, and when he was appointed it wasn't expected that he would bring about the kinds of reforms that he did. He showed an ability to understand and to break with the ideological thinking of his times, with the principles to which his party had come to office, and he brought forward a package that indeed was progressive and revolutionary in its time.

The approach that any government takes to the issues around workers' compensation must be a comprehensive approach. We believe that the government should not be bringing in its amendments in a haphazard way. Rather, we challenge the government to bring forward its proposed changes in their entirety and subject those proposed changes, in their entirety, to public hearings.

Public hearings are something that this government obviously wants to avoid. It avoided them on Bill 7. Indeed, the minister responsible for the WCB continues an exercise behind closed doors that doesn't allow the opportunity for public discussion of the issues around workers' compensation reform.

The government certainly had all the answers prior to the election; they outlined their 12 points of reform. Already, they're beginning to renege on one of those commitments. They said they would cut WCB assessments by 5%. Instead they froze them.

Mr Wettlaufer: What did you say?

Mr Duncan: They froze them. Let's talk about what that means for hospitals. You wouldn't have understood target rates that were established. Target rates would have actually reduced the cost to hospitals, by way of example. Hospitals this year had budgeted millions of dollars in savings because in their target rate group it would have declined by more than a simple freeze. Officials from any hospital—hospitals in your riding—will tell you that.

So what do you do when you take that kind of broad-based approach without thinking through and simply freeze rates? You penalize good employers at the expense of bad employers.

We will be bringing in a series of amendments to the bill which would give effect to the promises that the government made in the election. We'll bring forward those amendments and we'll see how you vote in recorded votes. We'll see how committed you were to that 5%, because we're going to give you the opportunity to vote in favour of it, in a recorded vote. We'll be happy to do that, to help you keep your commitment, and we'll see how many of you will. We'll see if you're prepared to support what it is you campaigned on in your individual ridings and indeed across this province.

I'd like to turn my attention now to the bill itself and some of the specifics that are contained in it, and address those specifics from our party's perspective, where we agree with the government and where we don't agree with the government, and the kinds of changes that we would like to see in Bill 15 that we think would make the bill more palatable and a better piece of legislation and a better piece of public policy.

1610

The purpose section of the Workers' Compensation Act is being replaced. The minister spent much time addressing the issue of financial responsibility in her statement, but she failed to note for the Legislature the new paragraphs 5 and 6 in section 0.1, which read:

"5. To prevent or reduce the occurrence of injuries and occupational diseases at work.

"6. To promote health and safety in workplaces."

By expanding the purpose clause as she has to include these two points, we believe the minister is giving us a very clear signal about her intentions, not only with respect to workers' compensation but with respect to the provision and delivery of occupational health and safety enforcement in the province of Ontario.

I spoke to the minister in this House some two weeks ago and I addressed a very specific question to her. I addressed the question of whether or not the government was in fact considering this option or whether her review panel was considering this option.

The minister did not rule it out, indeed, seemed to indicate to the Legislature and to the people of this province that in fact the option is being actively considered and actively pursued. That is an important point to recognize because it proposes to change the very fundamental structures of the delivery of health and safety enforcement in this province and make significant changes, some of which could be positive, others of which would be of concern, I would hope, to both the government and to the opposition.

I think we need to discuss that issue separate and apart because it is such a major issue, and I would remind my friends opposite that we did not hear any of this talk during the election. It's certainly not contained in the Common Sense Revolution or in any of the ancillary documents that the government—today's government, then the third party—produced in the lead-up to that election.

With respect to the issue of the changes around financial responsibility in the purpose section, section 0.1, in my view they merely rework language that was already in the act. I would like to remind the government that subsection 0.1(e) in the current statute states:

"(e) to require the board of directors of the Workers' Compensation Board to act in a financially responsible and accountable manner in governing the board."

So what was all the talk about financial responsibility? It's already there. It's already there in the purpose clause. I suggest it's about politics. I think we have a situation today where a government made 12 commitments in the lead-up to the election and suddenly it's having difficulty deciding how to implement those.

In order to divert attention away from the real issues, "We'll bring forward a bill, and we'll talk about financial responsibility because we talked about that at length." Indeed, our party spoke of and understands the need for financial responsibility at the board.

The government brings forward a bill and it talks about the need for financial responsibility and makes some really minor wording changes in the purpose section, in my view and in the view of our party, and in the same breath makes substantial additions to the purpose clause with respect to the issue of health and safety and the delivery and enforcement of the Occupational Health and Safety Act in this province.

Our party is prepared to look at health and safety enforcement. We all believe and would strive to see a system that will reduce lost time, accidents and industrial disease in this province. And we're prepared to work with the government, but we need to see the whole package. We need to see why is it that you're changing the purpose section of the Workers' Compensation Act to deal with the whole question of health and safety but not telling us what you intend to do with the health and safety inspectorate. Why is it that you won't allow public discussion around that issue?

I will be asking the minister very directly if she will release minutes from the discussions of her advisory group around these issues, and I will be asking her if she will release to this Legislature and to the people of this province the full responses the government has had to its letter of August 28. Make that information public. Don't have your consultations behind closed doors.

And to the substance of the issue of health and safety enforcement, we believe frankly that if it is the government's intention to move enforcement from the Ministry of Labour into the Workers' Compensation Board, as well as moving the Occupational Health and Safety Act itself, you would be abandoning the proper role of government in administering and enforcing that particular statute. In effect, the government would be abdicating its role. In effect, the government would be abdicating its responsibility to working people in this province.

From a government-wide perspective, this initiative points to a very interesting approach. If, for instance, you move the health and safety division of the Ministry of Labour out of the Ministry of Labour and into the Workers' Compensation Board, what does that do in terms of the government's financial statements? I'll tell you what it does: It reduces the government's operating expense, which the government clearly is committed to, and it moves that expense on to the Workers' Compensation Board, which, unless the government enters into some form of purchase-of-service arrangement with the board, has the effect of transferring the cost of enforcement of this particular statute to employers through their assessments.

There's a very interesting body of literature about the pass-through of those assessments and who ultimately pays the cost associated with that. There's clearly an economic cost associated with it, but does the financial cost pass through to workers through less job creation resultant from what is in effect a new tax? So we will be

watching with interest if the government, in its attempt to balance the budget, simply tries to offload expenses that currently show on its books to the expenses that show on other agencies of the government, because that wouldn't be true expenditure reductions.

But even more interesting than that is, what if the government entered into a purchase-of-service arrangement with the WCB? Would this be the thin edge of the wedge in terms of the general rates subsidizing WCB and the violation of Sir William's very basic principles? We don't know because again the government has not come clean with us in terms of its entire agenda and what the ultimate outcomes associated with these proposed changes mean. If the cost of the enforcement of the health and safety act is moved on to the WCB and on to employer assessments, then I suggest to you that this is a new hidden tax on employers and on injured workers.

1620

We'll be watching very closely to see how the government proceeds and we may in fact move amendments to the bill that would strike the proposed section 0.1, paragraphs 5 and 6. We may bring forward those amendments to see if the government is preparing to make those kinds of dramatic changes that it contemplates in its reform of health and safety delivery and enforcement in this province. And it comes back to a fundamental question about how we govern ourselves. This is kind of a peekaboo approach: "We'll show you this little bit here and this little bit here, but over here the substantive changes, the major changes, the changes that will impact directly on injured workers, the changes that will impact most directly on employers, well, we're keeping that quiet. We're not going to discuss that. We'll wait."

The minister without portfolio will have consultations in his office behind closed doors without the benefit of public consultation, without the opportunity to discuss not only the range of policy options the government is looking at, but the alternatives and the potential impacts associated with those changes. We'll be watching very closely on that particular perspective.

The minister spoke about governance at the Workers' Compensation Board and I'd like to take a few moments to address that issue as well.

Bill 15 provides for an end to the bipartite model of governance. It proposes in its place a multi-stakeholder model. The amendments contained in section 6 of the bill, subsections 56(1) and (2) of the act, create a new board under the multi-stakeholder agreement.

We support the government. We support the change to a multi-stakeholder model. We supported that in the election, we offered an alternative and we continue to support that principle. We support governments like the government of British Columbia, which has recognized that there are more than two stakeholders involved.

We said on the debate on Bill 7, and we meant it, that government ought not to be the tool of either labour or management. Government ought to represent the broader public interest. The board of the Workers' Compensation Board in effect represents the government or the broader public interest and, therefore, it is our view that the

broader public interest must be represented in the governance of the Workers' Compensation Board and its affairs.

Section 6 of the bill, subsections 56(1) and (2) of the act, creates this new board, which is proposed to consist of the chair, the president and a minimum of three and a maximum of seven members who are representative of workers, employers and such others as the Lieutenant Governor in Council considers appropriate.

As I indicated, our party supports the multistakeholder model. However, we will bring forward amendments specifying an equal number of worker and employer representatives and will bring forward amendments which will also provide the government with more specificity with respect to who the other appointees can be.

We believe that if we are going to move in the direction of a multistakeholder model, the Legislature ought to be clearer in its intention of what it means by a multi-stakeholder model. We think that if the board is composed properly, if it is truly representative of employers and of workers and of other stakeholders, and if that board is perceived to be fair and perceived to be acting in the broader public interest, then we believe the future affairs of the board will be held in higher regard. So the question of governance is very important and it will impact on every aspect of how the board does business.

In my home, Windsor—

Mr John Gerretsen (Kingston and The Islands): A great city.

Mr Duncan: A great city indeed—we have always embodied the principle and we have always said that labour and management must be represented, but the broader public interest must be represented.

Let me give you an example. The municipal council in the city of Windsor has a number of civic committees that are appointed every year, and every year we take a nominated appointment from the local labour council and a nominated appointment from the local chamber of commerce, but the council itself fills the balance of the appointments.

So, in effect, we have practised that multistakeholder model for many years, and it has worked extremely well. It has brought harmony, it has got labour leaders working with business leaders, it has got the broader public interest represented and it brings forward unique solutions to difficult and complex problems.

We believe that the multistakeholder approach is the proper approach, but we believe that you should have shown more specificity with respect to the number of employer and worker representatives as well as more specificity with respect to the non-employer, non-worker representatives who will sit on the board.

The transition provisions of the bill indicate that a new president will be appointed before the bill is in fact proclaimed. I was pleased to hear the minister say that they are close to having a new president. We hope the minister will announce her choice in short order.

We would be most interested to hear the views of the new president prior to his or her appointment. We think the new president might be able to offer words that are instructive and help form good public policy to the

Legislature on Bill 15 itself. So if the minister and the government have either found or are close to reaching agreement with the person they envision as the new president, we urge them to make that announcement and make that appointment so that we can hear the views of that person with respect to Bill 15 and with respect to the issue of governance of the board.

We truly hope that the government keeps to its commitment with respect to the appointment of a competent insurance executive for the post. It's a serious issue, and I know my colleagues both in the New Democratic Party and in my own party share that view. It's an extremely serious issue. There has been considerable consternation expressed by various stakeholders about which of our two WCB ministers is really in charge. It would appear that a considerable power struggle has been going on since this government was sworn in.

1630

I remember the Minister of Labour's July press release. I call it the Alexander Haig press release, the I'm-in-charge-here press release. Right out of the clear blue on a Friday we get this press release faxed to our office that says—we didn't raise the issue; we didn't ask if they weren't getting on or if they were having a little tiff among themselves or if somebody was stepping on someone else's toes. Right out of the clear blue this press release comes from the Minister of Labour, saying: "Look, I'm in charge of the really important things. All of the important things that go into WCB reform, I'm in charge of." The Minister without Portfolio—

Interjection.

Mr Duncan: Well, maybe it was, because, you know, the Minister without Portfolio was left, I think, for ordering paper clips and other things. But it wasn't clear at all, and we couldn't understand what generated it. It was a lovely summer day, the sun was shining, people were walking in the streets of downtown anxiously awaiting leadership from this government on WCB reform—on Ouellette Avenue in Windsor they were talking about it on that day; they truly were—and we get this press release. We didn't raise—I know my friends and colleagues in the third party were all away, I think, because they weren't saying anything about it. They were still recovering from June 8.

The Acting Speaker: Please address the Chair.

Mr Duncan: Mr Speaker, they were still recovering from June 8.

So it appears that a considerable power struggle has been going on within the government between the Minister of Labour and the Minister without Portfolio.

Interjection: Do you believe it?

Mr Duncan: I believe it. I truly believe it. While this makes for interesting theatre, it makes for bad public policy. Interestingly, with the introduction of this bill the Minister of Labour—who on August 28 wrote to, I believe, 200 stakeholders asking for their input on a number of issues, saying that she was going to be dealing with these issues with her fall bill—when she brought forward her bill she now says that the Minister without Portfolio will be doing those. So apparently that power

struggle is still going on, and it would appear as though the Minister without Portfolio now has the upper hand in this epic battle.

One thing the government said in the Common Sense Revolution is that you need a leader. It says you need to be clear. We couldn't agree more, which made the Premier's appointment of two ministers very difficult to understand. As we see this power battle shifting back and forth, one day one's on top, the other day the other's on top, and it just keeps changing, the fight, what it says, the message it sends out clearly is that there's nobody in charge, that we're more interested in fighting among ourselves than we are in dealing with the real problems. Maybe that's why the government hasn't brought forward its complete proposed set of reforms.

As I said, the government, the then third party, was very, very clear in the election about what they would do if only they were given the chance to do it, and how quickly they would deal with it. So perhaps this epic battle explains to the House why we have only a small part of the reform measures that the government is contemplating.

One other side amendment that came about as a result of the change in the purpose clause is that the government has removed the financial responsibility of the board from the purpose clause and added subsection 58(2) to the duty clause of the board of directors, which again in our view is merely window dressing to try and give the impression that the government is doing more than it really is in the area of financial responsibility.

Mr Gerretsen: It's superfluous.

Mr Duncan: "Superfluous." That's a good word. That's a very good word, "superfluous."

Hon Norman W. Sterling (Minister of Consumer and Commercial Relations): Him. Him.

Mr Duncan: But they have to do something, because they said they would.

To the Minister of Consumer and Commercial Relations, who is pointing to me and saying, "You're superfluous," well, perhaps I am. But we are trying to bring forward constructive amendments to what we think is a bill that (a) is incomplete, and (b), even the small things they attempt to do really don't do it very well.

I'm reminded by the minister's comments of the new duty-free store at the Ambassador Bridge, which he tried to block.

Interjection: He did?

Mr Duncan: He did, he really did, and fortunately, the board of the Liquor Control Board overruled him. They took it upon themselves to make the decision despite—

Interjection.

Mr Duncan: It's interesting. But I'd invite the minister—he was down at Casino Windsor, you know, and as the minister responsible for regulating casino gaming of course couldn't partake of the casino games—but I would invite him to come on down and see the duty-free store and to see the university students who are employed there and to see the unique relationship that's

been created between the private and public sectors to fund the University of Windsor in a creative, open and positive manner. Not an ideologically driven, closed-minded, "I don't like them, I'm not going to do that" kind of response, but a very, very positive development that will help the University of Windsor—

Hon Mr Sterling: —the federal Liberal government.

Mr Duncan: Oh, and that government's done no patronage. Oh, no. No, no. Well, we'll talk more about that later in my address.

Mr Rosario Marchese (Fort York): Take your time.

Mr Duncan: I am. I'm rather enjoying this.

Interjection: This is the preamble.

Mr Duncan: This is just the preamble. I haven't even got into the substance of the bill.

But I would like to invite the Minister of Consumer and Commercial Relations to come on down. We'll show him some Windsor hospitality. He has been there. He did a very good job too while he was there. But he didn't get over to the Ambassador Bridge, and we'd like to take him there to see that, and we'd like again to have him have the opportunity to see what happens when the private and public sectors work together on a creative initiative.

So the issues around financial responsibility, the amendments proposed in Bill 15, really aren't that substantive in their nature, in our view. The best way to ensure that the board acts in a financially prudent way is to appoint competent members who have a track record in financial management, be it in a union or management setting. We urge the government to resist the temptation to appoint only its friends—

Mr Marchese: Oh, they wouldn't do that.

Mr Duncan: Well, you never know. We urge them to resist that temptation and appoint individuals who can contribute to rebuilding this tattered organization from the ground up: competent insurance executives.

I remember when we appointed Dr Robert Elgie to the chair of the Workers' Compensation Board, a fine and outstanding citizen of this province, a minister in the Davis government for many years, a medical doctor by profession and an outstanding chair of the WCB, appointed by the David Peterson Liberal government. So yes, indeed, there are precedents for appointing people of other political persuasions, and that was only nine years ago. It wasn't long ago, and Dr Elgie served as a competent, indeed an inspiring, leader of the board in his tenure, as he served in previous governments.

1640

Interjection: Oh, that member doesn't agree over there.

Mr Duncan: I know. It's a shame to say that they don't even recognize the contribution of their own party—and the strength. I look across from me and I see many people of great talent and understanding who can serve this province. Though we may disagree on policy matters, and we will disagree, I still respect them as individuals and their contribution. That's why we appointed Dr Elgie, because we knew he was a capable guy who understood the issues.

I hope your government will show the same foresight, will show the same singular determination to make the Workers' Compensation Board work, and appoint somebody without consideration to partisanship.

Mr Marchese: He may be Liberal; we understand.

Mr Duncan: I know that would be hard for the New Democrats. They poisoned the public service in this province. Right from David Agnew on down, they poisoned it. We had a competent, professional, independent public service in this province.

Ms Frances Lankin (Beaches-Woodbine): Oh, please.

Mr Duncan: We did. That was one of the great legacies of the Davis government; it truly was. I hope and I look forward to this government dealing with that and restoring that singular and competent and professional and independent public service to where it was, it seems, so many years ago.

There's also new wording with respect to section 65.2, the memorandum of understanding section of the bill, which takes power from the board and places it solely in the hands of the Minister of Labour. The amendments also provide that the memorandum of understanding must address certain issues as defined in the act.

Again, I express some concerns about this because the government, in the election and in the period prior to the election, spoke of the need to depoliticize the operation of the board. While we support all initiatives aimed at improving the accountability of the board, we are concerned that the board should be accountable to the Legislature, through the minister. We will bring forward amendments to Bill 15 which will give effect to this very fundamental value that we hold.

We will, for instance, amend section 13 of the bill to read, "Every five years, the board and the minister, acting on behalf of the Legislature, shall enter into a memorandum of understanding containing only such terms as may be directed by the minister and/or the Legislature." In subsection (2) of the same section, we will substitute the word "Legislature" for the word "minister" wherever the word "minister" appears. We will further amend subsections (2.1) and (2.2) to provide for that very same principle. It is the view of our party that the board must be accountable to the Legislature and not just to the Minister of Labour.

Mr Michael A. Brown (Algoma-Manitoulin): That's really democracy.

Mr Duncan: Democracy.

Finally, we'll amend section 16 of Bill 15 to provide that the Legislature will determine where value-for-money audits will be conducted. Wouldn't it be interesting—and I can't imagine that this government would, but some government some day may decide not to study part of the act or not to study part of the board, or do a value-for-money audit, for political purposes. So it ought to be left to the Legislature to determine where those value-for-money audits should be conducted.

If you are truly interested, if you truly believe that better financial management and accountability will result from those value-for-money audits, then I am quite

certain that my friends and colleagues opposite will support our amendment, which will allow the Legislature to determine where value-for-money audits will be conducted on an annual basis.

A new subsection 108.1(1) is added which provides that employers will "register with the board within 10 days after becoming an employer."

These amendments are really interesting, and I don't think —oh, the Minister of Consumer and Commercial Relations has left. He fulfilled one of their party's commitments with respect to corporate filing, and we applauded him and we supported him on that. He has truly, I think, been committed to relieving the burden of business in this province, trying to cut red tape, trying to make it easier to open a business and conduct a business.

But if you look closely at section 108.1—and I would urge my friends opposite, who I know have made commitments to employers in their communities, who I know genuinely believe what they said in the election—you will see that you're going to be increasing the paperwork associated with workers' compensation in this province; you will be adding to the regulatory burden.

For a government that's made a lot of noise about lessening the paper burden, we find it very interesting that employers, both new and established, will be facing an additional paper burden associated with section 108.1, and we think it will be ominous. Just wait until those officials at the board get hold of these new statutes. Just think about all the fun they can have devising new forms and new paperwork.

I would urge my friends opposite to support me when I bring forward amendments to change that, because it was your commitment to get rid of unnecessary paperwork and red tape.

What you have done, and what the minister has done by simply trying to show how tough the government is with WCB fraud, is slap new paperwork, slap new burden, slap new red tape on business that will undo much of the good that the Minister of Consumer and Commercial Relations has done by removing the unnecessary filing and filing fees associated with his ministry.

We'll be pursuing that and we will be offering you amendments that I think you'll be very comfortable supporting because I know, like us, you are committed to reducing the paper burden that employers, both new and established in this province, are faced with.

Amendments to subsection 109(6) of the act and a new section 109.1 again break the Tory promise to reduce red tape by adding significant paper requirements to employers that really, as I thought about it and as I studied those clauses, don't amount to a lot.

Again, we will recommend that the government drop those sections of the bill. We will recommend that the government remain committed to eliminating red tape and to helping business do business in the province of Ontario in a cost-effective way. We believe very firmly that these amendments to the new section 108.1 and to subsection 109(6) and the new 109.1, when your officials in the board get hold of them and start defining the paper to give effect to these amendments, it will have the effect,

in our view, of creating yet more paper for an already overburdened employer community in this province.

Our party has no strong objection to the new proposed section 130.1, which provides that any "overpayment made to the board by an employer is a debt due...." However, we hope that the new president and board will pay serious attention to overpayments to both workers and employers. The large sums of money that are involved in overpayments hinder cash flow, cost tens of thousands in interest charges alone and again impose an unnecessary administrative burden not only on the board, not only on employers, but also on injured workers, and so we believe, and we will support that section, but we'll be talking in committee and we'll be asking the new president to pay serious attention to those overpayments because they cost tens of millions of dollars every year.

1650

Mr Speaker, sections 17 to 26 of Bill 15—Madam Speaker, I apologize; the Chair has changed—while designed to reduce fraud and waste, in our view will likely wind up costing more to enforce than they will save. Again we have the spectacle of the government trying to create the impression—

Interjection.

Mr Duncan: I do hope you come back to Windsor. It was so nice to have you there. We enjoyed your visit so much; I know the building trades people did. It's a shame you left in such a hurry. I can't say that I blame you and I must admit I admire your tenacity, and your members and your colleagues ought to be proud. They ought to be proud. You stood there and you stuck to your guns and you told what you believed to be the truth, and we look forward to having you and indeed the Minister of Labour and any member of your party into our city. My friend from Chatham and I engaged in a most enlightening discussion just last Thursday with the leaders of our local labour movement and chambers of commerce. Again, we welcome all of you to Windsor at any time.

Mr John Hastings (Etobicoke-Rexdale): Have a welcoming committee.

Mr Duncan: We'll have a great welcoming committee. I'll take you to the casino myself just to show you how important it is to our local economy. We truly hope the Premier appreciates that. You know, that casino employs over 3,000 people today. Of course the Premier started out, when he got into office, saying he was going to have a referendum right across Ontario, including Windsor, and I must say I admire him for recognizing how well accepted that initiative has been in our community and for agreeing not to subject Windsor to that kind of referendum.

My colleagues from Windsor and I will be pursuing questions with respect to his commitment to give 10% of the profits to the city of Windsor. That could amount to—well, Madam Speaker, you'll certainly be aware of that. You opposed those. You opposed giving 10% to Windsor—cut a very tight deal that saw Windsor getting really the indirect benefits. We'll be talking more to the Premier and the Minister of Economic Development, Trade and Tourism about their commitment to that 10%

they spoke so eloquently about in the election. We look forward to sharing in those tens of millions of dollars of revenue that the government receives from the operation of Casino Windsor.

Section 27 of the bill creates a new part V of the act, entitled "Offences and Penalties":

"New offences are established for providing false or misleading statements to the board and for failing to advise the board of material changes in circumstance. Directors and officers of a corporation are guilty of an offence if they knowingly authorize, permit or acquiesce in the commission of an offence by the corporation.

"Existing offence provisions are moved into" this part of the act. "Current penalty provisions are moved to part V and the level of maximum penalties is increased."

As I said earlier, fraud is no doubt of great concern to all of us. Some have suggested that WCB fraud may cost close to \$500 million a year. Previously, the vice-chair of administration indicated that the figure was closer to \$150 million. I noted in her statement today that the minister seemed to be concurring with that figure.

While we support the government's intention, we are also reminded that all the laws in the world will not work if they're not properly enforced. We will be asking the minister how many times the existing maximums have been imposed and enforced. We'll be exploring that in our discussions about this bill because again our overall sense is that these amendments are really designed to say a lot and not do very much. So we'll be talking at greater length about all of those issues.

Again I remind my colleagues here in the House: If you change the law and maintain the same structures for enforcement, then you really haven't done anything at all. Perhaps we'll ask the minister to use her power to direct that greater enforcement initiatives be undertaken by the board. That's a very fascinating power, and I suspect the Minister of Labour will rue the day that she ever agreed to that, because we will be coming back to her time and time again to use her powers, which she has made permanent by these amendments. We suspect that she'll some day think to herself, "My goodness, why did I ever agree to that?" We respect what she's attempting to do, but as I say, we intend to fully use that provision in our questions and in our debates today and in the future around issues involving compensation and the Workers' Compensation Board.

Finally, sections 28 to 33 of the bill give effect to the minister's August announcement with respect to the Workplace Health and Safety Agency. I would like to remind the minister and the House that because of Dr Tuohy's recommendations, and because of a report by the agency's own auditor, we do not support putting the agency under the direct control of the Workers' Compensation Board. Dr Tuohy explicitly reviewed this option and rejected it in the short term to allow the significant problems the agency was experiencing to be addressed in a systematic fashion with a set of recommendations that might help it work better. It would have been sunsetted in 1997 in any event. It was and remains our view that doing away with the agency is akin to throwing the baby out with the bathwater.

Mr John R. Baird (Nepean): Red book, page 10.

Mr Duncan: A good book it was too, I might add.

I note that instead of cutting WCB assessments by 5%, you've acted on our promise about freezing rates. We'll see how far you go in other areas, and we'll see over time the difference between ideologically driven agendas that aren't based in fact and constructive and pragmatic solutions that are offered up by political parties to address problems in a meaningful and substantive way.

Again, we on this side of the House are particularly interested to know what the government intends to do about workplace health and safety. I don't have to remind the minister that the best way to reduce WCB costs is to reduce sickness and injury in the workplace. Again, I ask the government that, given the massive restructuring that you are contemplating with respect to health and safety, we sincerely hope that you will offer public hearings on this most important topic. Frankly, we're concerned that you won't.

Interjection: They don't do it often.

Mr Duncan: They don't do it often, that's right, and it's most unfortunate, because bad public policy emerges from that kind of approach. Even if you can agree in substance with what the government attempts to do, even if you can get to that point, by attempting to amend and significantly alter legislation that impacts as directly as labour legislation or as workers' compensation legislation, you must do so cautiously and prudently and ensure that you do it right, because if you don't, we all pay a price, and mistakes are made, honest mistakes are made, when you attempt to rush through those kinds of changes.

1700

Why, I hear the officials in the Ministry of Labour were up all night the night before Bill 7 was finally brought in, before they brought out that large document with all their changes. It was most unfortunate because, my friends, the Labour Relations Act is going to be opened up again. It will be opened up again. You're going to have to, to respond to your friends in the business community. You're going to have to because you've made some serious errors in drafting.

So even if you can get by the draconian substance of that particular bill, even if you can buy into it, you've created problems that you're going to have to fix, and we're going to be right there. Maybe we'll have public hearings on those and maybe at that point we can talk about scab labour and we can talk about rolling labour laws back to the 1940s in this province, because we really weren't given the opportunity this time around.

Again, as I noted earlier, the government was very clear in its campaign documents about what it intended to do. I mean, you can't take it away: They said what they would do and they're attempting to do it. But in the area of health and safety and the enforcement of the health and safety act, there's silence. You're contemplating major structural changes which require full public debate and discussion before you go on.

Having reviewed the bill, I'd now like to address what's not in the bill. As I noted earlier, on August 28 the minister issued a consultation letter to approximately

200 stakeholders. That letter addressed the following issues: governance, benefit levels, waiting periods, limiting entitlement, financial accountability, value-for-money audits and fraud. Of the seven points I've just reviewed, only four have been addressed. These four, which I reviewed earlier, haven't even been well done in the bill. We've found lots of mistakes. You've taken the easiest ones, you've brought them forward and you haven't even done a good job with them. It's not a question of not going fast enough; it's a question of, in a piecemeal fashion, making changes to the board.

We would suggest you take your time and you do it all at once. It can be argued, as I said earlier, that the minister has deliberately not dealt with the most difficult and fundamental issues involving the Workers' Compensation Board: the question of benefit levels, the question of waiting period and the question of limited entitlement. Going back to the epic battle, maybe one can see, after that July press release, the Minister of Labour thought: "Maybe I'd better leave this to Mr Jackson to do. Bill 7's enough for any one minister. I'll leave these tough things to Mr Jackson."

In her statement to the House announcing Bill 15, the minister said: "Mr Jackson is reviewing the current system for compensating long-term permanent disabilities, the existing adjudication and appeals structure, and alternative approaches to delivering workers' compensation services. The package will also include measures to address our commitments on benefit levels, waiting period, entitlement and assessment rates."

These are the real issues in compensation reform. Moreover, the minister's review is being conducted in secret behind closed doors, without any meaningful public input. Madam Speaker, I would suggest to you that the government is prepared to cut benefits, eliminate entitlement, establish waiting periods, without any form of public consultation prior to the introduction of legislation.

While we supported getting rid of the royal commission, we believe that the new minister ought to be holding public consultations on the proposed reforms. Thousands upon thousands of injured workers and employers have a huge stake in the government's planned reforms, yet no public consultation is happening.

So we've been presented with a bill that deals with the least contentious elements of workers' compensation reform—it doesn't do that very well—and we're left to wonder what the hidden agenda is; what's next. We are left to take calls from injured workers in our ridings about, "Are they going to cut me and by how much?" We're left to field calls from employers who said: "They promised us a 5% reduction in assessments. They said it could happen quickly. Well, where is it?" We're left with that dilemma, that very elementary dilemma, that touches on the lives of tens of thousands of people in our province. What are we to make of all this?

I would suggest to the government that rather than dealing with workers' compensation reform in a piecemeal fashion, you ought to be doing it in its entirety. Before you introduce legislation, you ought to be consulting publicly, and when you introduce legislation, you ought to send it out for further public hearings.

I'll remind you that the reason workers' compensation is such a difficult issue is that it touches so many people. While the government has shown its desire to deal with fraud and to deal with the bad things associated with the board, we haven't addressed the real needs of injured workers. We haven't addressed how we will make the compensation system financially viable while at the same time ensuring that our assessment premiums are competitive and that injured workers receive fair entitlement. You've avoided that.

I again assert that they have avoided it because they're going to cut benefits to the injured workers. They're going to introduce waiting periods that are longer than all other jurisdictions in this country. They are thinking about taking us to an American style, similar to Michigan or other jurisdictions, that really isn't the way we ought to be going.

When you do finally bring forward your changes, we'll be prepared to respond to them. Indeed, we presented a very substantive document around compensation prior to the election, campaigned on it during the election, and we will stand and use that as the basis for our response.

I guess I really ought not to be surprised. Proceeding without consultation in a piecemeal fashion, trying to ram through substantive policy changes without meaningful public input, going after the most vulnerable people in our society—

Interjection: It's their trademark.

Mr Duncan: It's their trademark. It is a pattern, and a pattern that attacks the most vulnerable in our society without due process, without much thought and certainly without a lot of consultation.

As I said in my reply to the speech from the throne, we all agree that the government, and indeed the WCB, must get its financial house in order. The question is not the direction we go in; rather, it's how we get there and over what period of time we take to get there. Equity, fairness, balance, moderation are the hallmarks of sensitive and thoughtful public policy which is designed to address real problems in a systematic fashion.

1710

They've cut welfare rates. They've cut health care expenditures, despite promises to the contrary. They've not delivered on a nutrition program. They've cut subsidized child care. They've cut second-stage shelter and counselling for battered women and their families. They've cut a variety of programs and services aimed at helping the elderly, the disabled, native persons. It's the vulnerable.

Next spring, I would suggest to you, the government will turn its attention to injured workers. It will turn its attention to injured workers, and I would suggest to you that the kinds of reforms they contemplate will penalize those injured workers and hurt those people more than they're already hurt.

I'm saddened by that, deeply saddened, because we do agree that the province's finances must be brought into order. We believe very strongly that you can do that and minimize the negative impacts, but this government is practising a public policy that is polarizing all of us. It

has devised and will continue to bring forward initiatives that will establish very clear winners and very clear losers.

When you practise public policy in that fashion, you abandon the political culture of this province, you abandon the advances we've made as a society and you replace them with a deeply divided and angry province and constituency. You are pitting rich against poor, north against south, women against men, labour against management. Oh, yes, you're absolutely right: There will be winners in this. There will be many winners in this. But there will be many more losers. There will be many more who are real losers.

What profit any of us at the real expense of our most poor and vulnerable brothers and sisters? How do we profit as a society? How do we gain as a people when we collectively and unequivocally create an entire class of people who will be undereducated, underserved in terms of health care, underfed, underhoused—

Mr Gilles Pouliot (Lake Nipigon): Systematically and deliberately.

Mr Duncan: Systematically and deliberately. How do we say we have achieved growth as a people? I submit that we don't, and I again reiterate, what profit any of us at the expense of our most poor and vulnerable brothers and sisters?

While we may take some perverse pleasure in attempting to make the reforms that we're making, and while we may think and we take the paternalistic attitude that this is in their best interests, I would suggest to you it's not; and I would suggest to you that each and every one of us in this province will regret this systematic attack on the most vulnerable people in our midst. We are saddened, deeply saddened, that this type of public policy can be pursued in what has historically been such a progressive society.

When we look at the Common Sense Revolution, they hold it up and they say, "We were elected. We said we'd do this," and yes, they were. But talk about tapping into society's ugly underbelly. Talk about exploiting falsehoods about welfare, talk about exploiting the injured workers in this province, talk about exploiting all of those in this province who are likely to be the most harmed. We think it's most regrettable.

Yes, you got a mandate and yes, you're acting on it. But don't be afraid to question, don't be afraid to say to yourselves, "Were we really right about this?" Don't be afraid. Just as you have said to us here that there are no sacred cows, don't be afraid to question whether or not your mantra is always right. Look at reality. Look around you. In the weeks and months and years to come, we'll see.

You've already finished your work in labour relations, and the consequences of that are only beginning to be felt. Our economy in this province is, at best, in a precarious position. Many factors are beyond the control of our provincial government. Unemployment remains persistently high, and in Bill 15 and in other bills you haven't addressed that question. You've simply relied on the old mantra that if you cut government, jobs will happen.

I hope you're right, I truly hope you're right, because you're pursuing that agenda. My fear is that you're pursuing that agenda in a climate where your own Finance department has said Ontario entered into a recession in the first two quarters of this year. They said that this quarter will be a little bit better but it's still not going to be good. So you better be right. You better be right, because you don't make the kinds of mistakes we think you're making and get away with it.

We hope that in the weeks and months to come the government and the minister, whichever minister's in charge of workers' compensation, will pay serious attention to the realities that we're confronted with. Don't attack singly the most vulnerable people in the compensation system. Be balanced. Be fair. Show moderation.

We think we can offer a number of amendments where—in fact, as I said to the members opposite, we're going to make amendments that you had proposed in the campaign, and we'll challenge you to vote for your own promises. You likely won't.

We assert that in a society as diverse as ours the rigidity associated with their policies and their Common Sense Revolution will ultimately lead to economic disequilibrium and eventual recession. This government is practising a public policy that will create the first made-in-Ontario recession. It is a recipe for recession. It is a recipe that will undermine not only the basic fabric of our caring and compassionate society but the economic strength that this province has long been known for.

We suggest that the government think about models that have worked elsewhere, where budgets are brought under control, where finances are brought under control without unduly penalizing the poor, the dispossessed and the vulnerable.

1720

Right in my own community of Windsor, in a highly unionized environment, our city embarked on a fiscal fitness and debt reduction plan in 1986, again in 1989, and we went from being the highest per capita debt municipality to the lowest. We are now engaged in a strategic right-sizing exercise to deal with a bloated bureaucracy. I was proud to be part of that. We did it. We did it not on the backs of the poor, not on the backs of those who had no voice or couldn't properly defend themselves; we did it fairly. We did it in cooperation with the previous government. I would be remiss if I didn't acknowledge that. You can do it.

There is over \$5 billion of new investment going on in my community, yet our unemployment rate remains stubbornly high, and we all have to work on that.

So I say to the government, we will be proposing a series of amendments to your bill. We will be proposing a series of amendments which you endorsed in the campaign and the lead-up to the campaign, just to see how truly committed you are to them and to see if in fact the members opposite will tell their government to keep its commitments on some of these. But most importantly, we truly hope that some of the amendments we provide you with and will offer up will help strengthen what is a weak bill.

We hope that you'll come clean on the rest of your WCB agenda and that we can look at what you're going to do to those injured workers and to employers, so that we can have a full debate on the issues around WCB reform and we can work together to make the system work, to work for all members.

We hope the minister will announce the appointment of a president before this bill receives royal assent, so that we can seek out his or her views on this bill.

We hope, above all else, that you will consult a broad range of people as you prepare your reforms, and when you bring in those reforms, we truly hope that you'll allow adequate public debate. Working together, we can make the system work in a financially responsible way. We look forward to the opportunity to do that.

The Acting Speaker (Ms Marilyn Churley): Questions or comments?

Mr Marchese: I just want to focus my remarks on the whole issue of a bipartite board versus a multistakeholder board, and I wish to disagree, obviously, with the member for Windsor-Walkerville who agrees with the whole notion of a multistakeholder board and disagrees strongly with this government that's proposing it.

The point of a bipartite board was to attempt to achieve some fairness between labour and employers, an attempt to restore some balance, because there has never been balance between labour and business. The sadness around it is that if we did try to do it, it would create some positive consequences in the end, but we've never tried that. The point of a bipartite board was to try to achieve some of that balance that, in my view, is important.

Who are the affected groups when we talk about such a board? It's the employers and the workers. These are the important stakeholders in this whole discussion: the employers who obviously have to deal with health and safety, who have to deal with injuries in the workplace, and the worker who obviously falls victim from time to time to injuries in the workplace. These are the most important players in this whole area. So there's an attempt to build collaboration. There's obviously a tension between them as they try to work together, but ultimately it was an attempt to get them to work together.

What this party is doing is creating an obvious imbalance and creating a structure that supports an ideologically bent government. Look what they did with Bill 7. It was an assault on workers and nothing less. It was clearly not an attempt to restore balance, because workers have never had that in their history. If you have any doubt about whether labour will be underrepresented, make no mistake about it, they will be.

In 1985, what we had was a multistakeholder board appointed by a Conservative government which had in large part Conservative political appointees, and that's what we're going to get from now on.

Mr Baird: I'd like to first congratulate the honourable member for the best five speeches I've ever heard him give in this place all at once; and in addition, to thank my friend from Windsor for the hospitality that he and his fellow Windsorites gave to me on my recent visit to Windsor. I really enjoyed the visit.

When I sought the nomination of my party some eight or nine months ago, we had about 150 people out at the nomination meeting, and there were more than that waiting to greet me outside the auditorium in Windsor. So I really enjoyed meeting with the citizens of Windsor.

The member has indicated his willingness to work with the government on the policy issues outlined in this bill. I think that sort of spirit is genuinely appreciated. We look forward to working with him in committee with this legislation.

The member also discussed scrapping the Workplace Health and Safety Agency. That's something that's known very well in this Parliament. Two of the three political parties in fact promised to scrap it. I was reading the red book the other day, as I do on occasion, and there the Liberal Party had pledged to scrap the agency as well. Now, all of a sudden, it's a bad idea, which is most interesting.

The member also brought up the issue of some plan to transfer health and safety enforcement to the WCB. I'd indicate that, no, there are no plans to transfer the health and safety enforcement functions of the ministry to the board. The occupational health and safety review panel is considering how to integrate the functions of the Workplace Health and Safety Agency into the WCB, but does not include enforcement activities. That will of course remain with the ministry. This issue has come up and I think it's important to put that on record.

The Provincial Auditor, in his report today, mentions that the WCB had failed to get control in terms of developing progress with the strategy to deal with the unfunded liability. This bill is the beginning of that solution.

Mr Michael Brown: I always enjoy it when the member for Windsor-Walkerville brings a brief message to the Legislature about this important bill. He's brought some insight here that I think we all can take very close account of.

I've been a member of this Legislature now for about eight years, and one of the items that seems to occupy me and my staff and my constituency office is workers' compensation issues. I think any member who has been in this place for any length of time knows the angst of having people in your constituency office bringing the problems of the Workers' Compensation Board and their entitlements thereto to your attention, and the frustration of dealing with this board that I think all of us have found.

We also know in our constituency offices the frustration that employers have had, likewise in terms of workers' compensation.

The government, in bringing this bill, and perhaps the member can comment on this when he has an opportunity, has to understand that a few changes in governance—and the whole breadth of this bill is not particularly deep in terms of what is really going to come upon us in the spring after a kind of non-public consultation that is going on today.

I am very concerned, and I have had workers and employers come to my office, call me on the phone or

see me on the street, and say to me, "What is going to happen come spring?" I think it behooves the government to come forward and put real proposals out there so we can talk about the substance of WCB reforms in a meaningful and open fashion.

I congratulate my friend the member for Windsor-Walkerville on his presentation and hope that he has more opportunity to do so in the future.

1730

Mr Len Wood: In response to the member for Windsor-Walkerville, under comments and questions, we have legislation here, Bill 15, that is rolling the clock back prior to 1914, when the compensation was brought in to make sure the workers were protected. In the event that they were injured on the job, they didn't have to go through the courts with the lawsuits. So what we have is being rolled back.

It seems like this is very similar to the comments we heard from the Minister of Education and Training a number of months ago that in education we have to create a crisis.

Now we have the Minister of Labour saying that—maybe it was working good. I mean, there was a board of directors, half from labour and half from business, that worked over the last six months to bring in a number of changes, and the compensation board was being brought under control. The liability was being reduced. But by bringing in Bill 15—I'm sure the member for Windsor-Walkerville is going to want to comment on that further—they've created a crisis, or they pretend there is a crisis and then they have to do something about it, the same as they did when they brought in Bill 7, which legalizes scabs and replacement workers on the job. It's going to create nothing but violence, strikes and lockouts throughout the whole province and scare employers away, which in turn kills jobs in Ontario.

I believe that the Workers' Compensation Board, as it was in 1985 under the Tories, where you had all Tory appointments on the board prior to the government being defeated in 1985—now we see appointments day after day from Brian Mulroney's area. They're bringing them into Ontario. By firing the board of directors at the WCB, I'm sure they're just trying to make room for some of Brian Mulroney's cronies on the board.

The Acting Speaker: Thank you. The time's up. The member for Windsor-Walkerville, you have two minutes to respond.

Mr Duncan: Well, there's not a lot left to say, except that I've never had trouble speaking for 90 minutes, but standing up for 90 minutes is a great challenge.

I would like to point out to the people who are listening that we see here today those two extremes. We see my colleagues and friends in the New Democratic Party trying to suggest that there's nothing wrong, "Just let's keep going the way we've been going," which in my view is just absolutely wrong. There's a serious problem. I've yet to run into an injured worker who's completely satisfied with the way his or her case has been dealt with. I'm sure we've all experienced workers who we know obviously ought to be receiving comp who don't get it and vice versa.

Then we see the other extreme, the extreme right that wants to proceed ideologically without any kind of thoughtfulness.

Interjections.

The Acting Speaker: Order, please.

Mr Duncan: The member for Nickel Belt, when in government, seriously tried to peddle to the middle of the spectrum. I remember his comments as a young man about nationalizing banks and steel companies, and when they got Inco, and when they got into office they abandoned the left so quickly your head would spin. Now they're moving back there, which is very interesting. But that kind of policy doesn't justify the kinds of extremes that you take, and the side opposite.

I say to the people of Ontario that we need to restore balance and moderation in public affairs in our province. We need to look at issues in a constructive fashion. We need to reject the extremes of the left and the extremes of the right and get back to a position of moderation and balance and reality in public policy in the province of Ontario. The Liberal Party is committed to that.

Interjections.

The Acting Speaker: Further debate, the member for Beaches-Woodbine, and I'll have order, please.

Ms Lankin: I indicate that our lead-off speech of 90 minutes will be split and that I'll be starting off today, and tomorrow our critic, the member for Hamilton Centre, will be taking over, just for the record so that people know.

I wanted to start off by saying how pleased I was to have an opportunity to participate in—

The Acting Speaker: Excuse me one moment. Will the member take her seat, please. I believe I need unanimous consent for that to take place. Agreed? Agreed.

Ms Lankin: I wanted to indicate my pleasure at taking part in this debate. I've had the opportunity in the past to work very closely with the Workers' Compensation Board and with cases of injured workers going forward there in my experience working in the trade union movement. Then under the Liberal government I was in fact appointed as a full-time member of the Workers' Compensation Appeals Tribunal, as a worker representative on the tripartite adjudicative panel, and it was quite an eye opener. It was a very interesting experience and a very enlightening experience.

I think all members of the House will agree, in fact have over the years agreed that there are tremendous problems facing the administration of the Workers' Compensation Board, and that there have been many attempts over the years to try and resolve some of these issues, and that we are all jointly responsible for the state of affairs and jointly interested in resolving the concerns that are in the system, concerns that employers have and that injured workers have and that the administrators of the board themselves have with respect to the operation of workers' compensation and that system in Ontario.

But I have to indicate my disappointment at the bill that is before the Legislature today. We know that this government has very big plans for changes to the workers' compensation system. I fear some of the

changes that are proposed, but I would at least like the opportunity to be addressing those changes in one complete package so that we can see how the proposals interact with each other and what the cumulative effect will be.

The bill that is before us today deals primarily with the issue of governance. There are a few measures that the minister describes as anti-fraud measures, and I'll speak to those in more detail as I proceed, but by and large it deals with the replacement of the bipartite board. What it doesn't deal with, which I believe is the essence of the commitments that were made in the Common Sense Revolution and during the campaign with respect to reform of workers' compensation, are a series of initiatives that were set out in more detail in the minister's letter of August 28 that you've heard referred to today already.

Those in fact are very contentious proposals. They include the cutting of benefits to injured workers, workers who have in the course of performing their duties on the job experienced a workplace industrial accident or have contracted an industrial disease as a result of exposure perhaps to substances in the workplace, those workers who have seen their ability to continue as full participants in the workforce, to earn full wages for their families, who have had the devastating experience—and believe me, I have seen many of these workers in appeal situations and realize the incredibly negative impact this can have on the lives of the individual workers and their families. These people are sitting there wondering what will be happening to them in the future, and all they know is that there is a commitment on the part of this government to cut their benefits.

Another one of the proposals is instituting a three-day waiting period, as if somehow that's going to be a measure to control the number of claims that are going to be filed. Well, again, what it is doing is insinuating that there is an inappropriate behaviour on the part of injured workers. If you are injured on the job and you are eligible under the rules of compensation to receive compensation, why should there be a waiting period for you to receive your wages? Why should you go for a number of days without being compensated? This is not taking an illness leave or taking a vacation which you don't have banked vacation days for. This is as a result of an injury in the actual workplace.

Another one of the proposals that has been promised is barring claims for stress. It's interesting that over the years there has been a documented body of scientific research and evidence that has been developed which has come to understand the relationship of people's working situations and their workload and their exposure to certain factors in the workplace and the onset of symptoms of stress, and what that can do to a person's capability to continue as a full participant in their family lives and in their working lives. And yet the very beginning steps of recognizing that and attempting to determine how to compensate those kinds of injuries of stress are being wiped away by the proposals being put forward by this government.

There's restricting entitlement in cases where workplaces contribute to a disability but may not be the only

cause, so if you have some kind of back problem but you lift something in the workplace and you severely aggravate that back problem, then that's no longer, potentially, a case where you would be eligible. There's always been a balance of what is the most predominant factor. Adjudicators have always looked at that to determine whether or not the workplace incident is a contributing factor and should be eligible. But it looks like the government is proposing, wherever there is a pre-existing condition and something happens in the workplace that is related to any pre-existing condition, that this would rule a worker ineligible for compensation.

Madam Speaker, I'm not sure about you, but I know that as the years go on, the various physical frailties that I suffer would leave me in a situation of not having very many occasions, if I experienced something, in which the employer could not say there was a pre-existing condition. I really worry about the direction the government is taking with this and what the goal is, because it seems to me that in all of these there is a goal which is quite insidious, of somehow painting the injured worker as a malingerer, as someone who has abused the system, as someone who is not entitled. And I say this particularly keeping in mind the way in which this government has spoken about those who are recipients of social assistance in our society.

1740

I don't believe that there is any member of this Legislature who would condone fraud of any system, whether it be the health care system, the social assistance system, the insurance companies, the workers' compensation system. But when you take a relatively small experience and you blow it up in its import and you cast aspersions on a whole group of people that they are somehow participating in this kind of negative behaviour, you really go a long way to debase our respect for institutions and the public's trust in our institutions, and I think that is a very serious trend and tendency on the part of this government.

Injured workers are just that. They are workers who have been injured on the job. Somehow you treat them differently in your characterization of them than you do persons with disabilities. We hear much in the Common Sense Revolution about ensuring that people who have disabilities will not be negatively affected by cuts, for example, that you're proposing to make in various ministries. And yet you're proposing to cut the benefits to injured workers, somehow or other distinguishing them from persons with disabilities.

I don't understand what that distinction is, and perhaps, through the course of this debate and when we see further legislation in the spring, you'll share with us your understanding of the difference. Many of the injured workers I have met over the years are persons with very significant disabilities as a result of their injuries, and why should they be treated differently by your standards than those persons who have disabilities that have been caused by incidents, perhaps a car accident or something that happened outside of the workplace?

I don't understand that distinction. I think it's a very dangerous distinction, because I think again you start to

move towards a broad brush, painting groups of people as malingerers or people who are abusing the system, and not recognizing the true import of the events that they have experienced and what it means in their lives, in their working careers and in their families' lives.

The bill, in its limited form—it's unfortunate, as I said, that we are not seeing this all together, but it purports to deal with the issue of governance. We heard the minister in her statement make much of the need to do away with the bipartite board, a board that was made up of primarily two parts, a group of employers and a group of representatives of workers; that somehow that system, I think she said, was broken and it had to be fixed.

I find this odd. That bipartite board was put in place in the spring of this year. They have not had a terribly long time, through to the election of this government in June of this year, to implement any of the changes, and in fact their work was essentially put on hold the day after the election, when they were informed that they would be eliminated as a result of legislation to be introduced this fall.

The concept of a bipartite board is a concept which says that governments trust that those parties who are directly involved in any area of operation should have some sense of responsibility for the administration of that.

In the case of workers' compensation, let's remember that this is not a government-financed program. This is not the health care system and a series of benefits or social assistance and a series of benefits or any other program that you can think of that is funded through the taxpayer and through government revenues and government decisions. This is a system which was put in place, the historic tradeoff which took away the right to sue from workers who were injured in the workplace and replaced it with a universal system of benefits to deal with both injuries and loss of income. It was one system which tried to bring some fairness in assessments to employers—and there have been many changes over the years—that tried to move towards looking at the experience of particular industries, and if they were doing a very good job in health and safety promotion in the workplace and accident preventions, then having that reflected in a lower assessment rate.

The system itself is one that relates very much to the activities of the workplace: How safe can you make the workplace, how many accidents can you prevent, and for those who are involved in accidents or are exposed to substances in the workplace that lead to industrial diseases, a system of compensation that is fair for them and their families.

This is not something which the government should reach in and administer, unless of course you want to move to a universal insurance scheme, and I'm sure your government's not supportive of that. We could talk about that as another option for you to consider. But this is a system that affects those players in the workplace, and those players in the workplace are the employers, who contribute to and finance the insurance scheme that is in place to avoid the risk of lawsuits from their employees who are injured in the workplace, and those workers, who

have given up their right to sue and have been guaranteed a system of benefits if in fact they are injured in the workplace.

There is therefore an internal responsibility that should be demanded of the parties, and the concept of a bipartite board was to allow those parties to take over the administration of the system to seek the right balance, the collaboration and the right balance between the two workplace parties.

I don't understand how the minister is so enamoured with a multistakeholder board—and this is not a new concept. I do remind you that prior to the bipartite board in this province—in fact, when the Conservative Party was in power in the early 1980s—we had a multistakeholder board. It didn't do us a lot of good in terms of correcting the problems in the workers' compensation system.

They weren't people who were directly affected by the decisions that were taken by the board. They weren't representative of the workers. They were more representative of the employers, but even there, there were individuals who were outside of the system, who weren't directly affected, who were involved in making decisions that would affect how much employers would have to pay for their assessment and what kind of benefits workers would have to get.

Let me tell you that it didn't do anything to control the main concern that the government puts forward, which is the unfunded liability. We should take a look at the record. I do want to indicate that I find it particularly graceless of the government not to give any credit for the work that has been done to try and turn around the situation of the unfunded liability.

Mr Floyd Laughren (Nickel Belt): Hardly a class act.

Ms Lankin: Yes, and in fact this is not unusual. Whether it be talking about the health care system or many other areas, the ministers of this government do not give credit to initiatives that had already been under way under previous administrations, and in fact somehow seem to think that the world as we know it began on June 8.

Let me just say that, with respect to the unfunded liability, the minister's statement is very carefully crafted. It refers to an unfunded liability of \$2.4 billion in 1984 and contrasts that with the situation that we face today, in 1995. I'd like to inform members of the viewing public, but particularly the members opposite, that legislation that was introduced in 1985 by the then Tory government increased that unfunded liability that year dramatically, increased it from \$2.4 billion to \$5.4 billion. She forgot to mention that.

What's happened since then? In fact, every year the unfunded liability has grown at just about the rate of inflation. The steps hadn't been taken that were necessary to try and turn that around, but again, the minister didn't inform the House or the public of that when she made her statement.

She also didn't talk about the initiatives that were implemented over the last year and that, for the first time

ever, decisions that were being taken and were being endorsed by the employers and by the representatives of workers who were brought together by the previous government and were being implemented as the first steps in turning things around, while we also established the royal commission, that those, for the first time, decreased the unfunded liability. The minister made no mention of that.

In fact today, in putting forward what I think is a pitiful little bill, she suggested that these were the first steps in turning things around in the Workers' Compensation Board. Absolutely no acknowledgement of the steps that had been taken by the previous administration or that had been worked out in consultation with and in concert with those representatives of the employer community and the worker community who came together to work with the previous government. No mention of that at all.

No mention of the fact that those changes would have eliminated the unfunded liability by the year 2014, and that in the meantime there was a royal commission that had been established to look at the larger systemic changes that were required and that there might have been—and we all hoped there would be—an opportunity with the recommendations from that to improve upon the time frame of the year 2014. No mention of the plan that was already in place to deal with and eliminate the unfunded liability.

Instead, we have proposals coming forward—not before us today but that we know are coming forward in legislation in the spring—that will dramatically reduce benefits for injured workers, will cause waiting and delays in them receiving their benefits, will limit eligibility, which casts a whole group of people—persons with disabilities as a result of workplace incidents, accidents and exposures—aside and leaves them without the support of the system that they were guaranteed in that historic tradeoff when they gave up the right to sue.

1750

I've heard nothing that the minister has spoken about that has addressed that tradeoff and whether or not those people whom she is going to disallow, she's going to cast aside, are going to have restored that historic right of the right to sue. I suspect that the employer community would not be very supportive of that.

I don't think anyone believes that the best solution for this system would be to have litigation reintroduced into a system such as this. We've seen the problems in the insurance industries. We can look south of the border and take a look at systems where litigation is the course of the day and the costs that are inherent in that, both for individuals having to seek legal assistance to go through the process and the costs to employers with large payouts. I haven't seen any statements with respect to that historic tradeoff and the right to sue, and I think that's an important issue to be addressed.

The minister spoke about fraud, and the need to do away with fraud, and again I think there isn't anyone who would disagree with that. But quite frankly, what's contained in this bill is simply window dressing. I think that, again, it would have been gracious if the minister had talked about what in fact is already being done within the Workers' Compensation Board.

The Workers' Compensation Board administration has designed a comprehensive set of internal reforms which is called the financial improvements package, and this would have saved the WCB more than \$400 million annually, resulting in the elimination of the unfunded liability, as I said, by the year 2014. The WCB already does value-for-money audits. It already has a department that's been set up, under our previous administration, to fight fraud. The sections in the bill don't do anything to augment the abilities of that section or the work that's going on.

In fact, some of the revelations of fraud that we have seen lately—which by and large in fact don't involve injured workers, they involve employers and medical professionals—the whole networks that were there that were exposed were as a result of the kind of forensic audits that were being done by the Workers' Compensation Board, but yet again that was not something that was credited by the minister.

I want to, in the last few minutes I have, talk about what these changes are really about. Whether it be the elimination of the bipartite board and paving the way for the legislation in the spring which will dramatically reduce benefits for injured workers, it really to my way of thinking is about the dramatic shift that this government is imposing on this province in the balance of power between workers and employers. I believe that it is representative of a complete lack of respect for the experience, for the wisdom and for the rights of working people in this province.

If you take a look at this in combination with other initiatives, like the changes to Bill 7 which made it more difficult for workers to organize, which in fact threaten any worker in a workplace who chooses to be part of an organizing drive by making it much easier to fire them and much more difficult for them to be reinstated; whether it be the removal of the anti-scab provisions which we believe contribute to peaceful strikes in this province; whether it be the destruction of the Workplace Health and Safety Agency, which was charged with the responsibility for training of workplace health and safety committees, for ensuring that workers understood the workplace hazardous material handling system, to ensure that tragic deaths that have occurred as a result of people simply not being informed of the substances that they're working with, that those don't happen, that agency being absolutely gutted and destroyed; whether it be the cuts to the Ministry of Labour, the documents we've seen with options that include a complete gutting of the employment standards agency and their officers—those are the people who go out and enforce the basic employment standards in this province, a piece of legislation which is at the heart of everyone's rights working in the workplace.

Collective agreements and unions may bargain on top of that, but that's the very basis that applies to all non-union workers. By cancelling supports for those officers and the number of employment standards officers, again, it makes it very difficult for people to exercise their own rights, rights that they have in law. Whether it be the cap on pay equity to working women or the rumours about

freezing the minimum wage, or in fact the cuts on welfare that we've had, all of it works to diminish the earning capacity of people at the very low end of the income scale. All of these things put together disempower workers of their rights, both economic and workplace.

Madam Speaker, I think this has to be contrasted with other actions of the government. You will well know that the government has introduced legislation that will be cancelling the \$50 annual filing fee for business registration.

Well, you know, it's interesting. From the point of view of having been a previous Minister of Economic Development and Trade, I understand the desire to create initiatives for businesses to expand their workforces. That's why we, as a matter of fact, introduced a holiday on the employer health tax, a payroll tax, so that if you were hiring new people, you didn't have to pay that tax for the first year or so, so that there would be an incentive to hire; it wouldn't be a disincentive.

But, you know, \$50? Have any of you even asked your minister what the cost of the administration is of handling the registration in government? Do you know what that cost is? So once a year paying \$50, that that somehow is a huge disincentive in this province to doing business?

Mr David Turnbull (York Mills): Yes. Yes, it is.

Ms Lankin: I don't think so. I think it's an ideological position. I think it's quite symbolic in terms of what you put forward. But at the same time, the cuts you're making to all sorts of other programs that affect people—

Interjections.

Mr Turnbull: It's quite simple. If you brought in six inactive companies—

The Acting Speaker: Order, please. Order.

Ms Lankin: —who require services in this province and the cuts you're proposing to injured workers and to the benefits they receive—the contrast here is very difficult for us to understand.

Mr Laughren: The taxpayers will pick up the tab.

Ms Lankin: It's okay for the taxpayers to pick up the tab for the \$50 filing fee to pay for the administration costs of registration—

The Acting Speaker: The members for York Mills and Nickel Belt.

Ms Lankin: —but it's not okay for the taxpayer to continue to support services to the public of this province.

Mr Turnbull: This is not de Havilland, this is—

Mr Laughren: No. You're giving the big ones the breaks and you're making the taxpayer pick up the tab. That's exactly what you're doing.

Ms Lankin: The contrast is very difficult for me to understand, and I think it's very—

The Acting Speaker: Could the member please sit down a moment. Could I ask the member for York Mills and the member for Nickel Belt to please come to order. Thank you.

Mr Pouliot: The cost of one parking ticket, Madam Speaker.

The Acting Speaker: And you too, the member for Lake Nipigon. Continue.

Ms Lankin: One more comment and then I'll wrap up. The member for Nepean did make reference to the auditor's report today, and he said something interesting. He said the auditor's report suggested that the recommendations that the auditor had made in the past with respect to dealing with the unfunded liability and certain other administrative matters within the Workers' Compensation Board had not been dealt with.

Interesting. I hadn't picked that up, so I immediately got out my copy of the auditor's report, turned to that section and read it, and it talked about the recommendations. In fact, there were four recommendations and the status is reviewed. One of them has been completely implemented and the others are in various stages of implementation and it's quite complimentary. So I think that was an unfortunate characterization.

But it speaks to the heart of the big lie. Whether it be employment equity legislation and quotas or whether it be the unfunded liability and no action being taken on it, this government is creating crises. It's creating a sense of ne'er-do-well out there in a whole bunch of areas, it's purporting to put things forward which, when examined by any objective observer, you can see are not accurate. I'm choosing my words very carefully. As our leader has said, it's based on the big lie, and this legislation and what will follow it in the spring is also based on the big lie.

I worry about the future of injured workers. I plead with you not to cast them aside, not to cast aspersions that they're all malingerers, to understand these are persons with disabilities as a result of exposure to substances or accidents in the workplace who have made the big tradeoff, given up their right to sue, and who require and need and deserve a system that will meet their needs and their family's needs.

Madam Speaker, it being nearly 6 of the clock, I'll relinquish the floor tonight.

The Acting Speaker: It being 6 of the clock, this House stands adjourned until tomorrow at 1:30.

The House adjourned at 1800.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Lt Col The Hon / L'hon Henry N.R. Jackman CM, KStJ, BA, LLB, LLD

Speaker / Président: Hon / L'hon Allan K. McLean

Clerk / Greffier: Claude L. DesRosiers

Senior Clerk Assistant and Clerk of Journals / Greffier adjoint principal et Greffier des journaux: Alex D. McFedries

Clerk Assistant and Clerk of Committees / Greffière adjointe et Greffière des comités: Deborah Deller

Sergeant at Arms / Sergent d'armes: Thomas Stelling

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma	Wildman, Bud (ND)	Hastings-Peterborough	Danford, Harry (PC)
Algoma-Manitoulin	Brown, Michael A. (L)	High Park-Swansea	Shea, Derwyn (PC)
Beaches-Woodbine	Lankin, Frances (ND)	Huron	Johns, Helen (PC)
Brampton North / -Nord	Spina, Joseph (PC)	Kenora	Miclash, Frank (L)
Brampton South / -Sud	Clement, Tony (PC)	Kingston and The Islands / Kingston et Les îles	Gerretsen, John (L)
Brant-Haldimand	Preston, Peter L. (PC)	Kitchener	Wettlaufer, Wayne (PC)
Brantford	Johnson, Ron (PC)	Kitchener-Wilmot	Leadston, Gary L. (PC)
Bruce	Fisher, Barb (PC)	Lake Nipigon / Lac-Nipigon	Pouliot, Gilles (ND)
Burlington South / -Sud	Jackson, Hon / L'hon Cameron (PC) Minister without Portfolio (Workers' Compensation Board) / ministre sans portefeuille, ministre responsable de la Commission des accidents du travail	Lambton	Beaubien, Marcel (PC)
Cambridge	Martiniuk, Gerry (PC)	Lanark-Renfrew	Jordan, Leo (PC)
Carleton	Sterling, Hon / L'hon Norman W. (PC) Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce	Lawrence	Cordiano, Joseph (L)
Carleton East / -Est	Morin, Gilles E. (L)	Leeds-Grenville	Runciman, Hon / L'hon Robert W. (PC) Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels
Chatham-Kent	Carroll, Jack (PC)	Lincoln	Sheehan, Frank (PC)
Cochrane North / -Nord	Wood, Len (ND)	London Centre / -Centre	Boyd, Marion (ND)
Cochrane South / -Sud	Bisson, Gilles (ND)	London North / -Nord	Cunningham, Hon / L'hon Dianne (PC) Minister of Intergovernmental Affairs, minister responsible for women's issues / ministre des Affaires intergouvernementales, ministre déléguée à la Condition féminine
Cornwall	Cleary, John C. (L)	London South / -Sud	Wood, Bob (PC)
Don Mills	Johnson, Hon / L'hon David (PC) Chair of the Management Board of Cabinet / président du Conseil de gestion	Markham	Tsubouchi, Hon / L'hon David H. (PC) Minister of Community and Social Services / ministre des Services sociaux et communautaires
Dovercourt	Silipo, Tony (ND)	Middlesex	Smith, Bruce (PC)
Downsview	Castrilli, Annamarie (L)	Mississauga East / -Est	DeFaria, Carl (PC)
Dufferin-Peel	Tilson, David (PC)	Mississauga North / -Nord	Snobelen, Hon / L'hon John (PC) Minister of Education and Training / ministère de l'Éducation et de la Formation
Durham Centre / -Centre	Flaherty, Jim (PC)	Mississauga South / -Sud	Marland, Margaret (PC)
Durham East / -Est	O'Toole, John R. (PC)	Mississauga West / -Ouest	Sampson, Rob (PC)
Durham West / -Ouest	Ecker, Janet (PC)	Muskoka-Georgian Bay / Muskoka-Baie-Georgienne	Grimmett, Bill (PC)
Durham-York	Munro, Julia (PC)	Nepean	Baird, John R. (PC)
Eglinton	Saunderson, Hon / L'hon William (PC) Minister of Economic Development, Trade and Tourism / ministre du Développement économique, du Commerce et du Tourisme	Niagara Falls	Maves, Bart (PC)
Elgin	North, Peter (Ind)	Niagara South / -Sud	Hudak, Tim (PC)
Essex-Kent	Hoy, Pat (L)	Nickel Belt	Laughren, Floyd (ND)
Essex South / -Sud	Crozier, Bruce (L)	Nipissing	Harris, Hon / L'hon Michael D. (PC) Premier and President of the Executive Council / premier ministre et président du Conseil exécutif
Etobicoke-Humber	Ford, Douglas B. (PC)	Norfolk	Barrett, Toby (PC)
Etobicoke-Lakeshore	Kells, Morley (PC)	Northumberland	Galt, Doug (PC)
Etobicoke-Rexdale	Hastings, John (PC)	Oakville South / -Sud	Carr, Gary (PC)
Etobicoke West / -Ouest	Stockwell, Chris (PC)	Oakwood	Colle, Mike (L)
Fort William	McLeod, Lyn (L) Leader of the Opposition / chef de l'opposition	Oriole	Caplan, Elinor (L)
Fort York	Marchese, Rosario (ND)	Oshawa	Ouellette, Jerry J. (PC)
Frontenac-Addington	Vankoughnet, Bill (PC)	Ottawa Centre / -Centre	Patten, Richard (L)
Grey-Owen Sound	Murdoch, Bill (PC)	Ottawa East / -Est	Grandmaître, Bernard (L)
Guelph	Elliott, Hon / L'hon Brenda (PC) Minister of Environment and Energy / ministre de l'Environnement et de l'Énergie	Ottawa-Rideau	Guzzo, Garry J. (PC)
Halton Centre / -Centre	Young, Terence H. (PC)	Ottawa South / -Sud	McGuinty, Dalton (L)
Halton North / -Nord	Chudleigh, Ted (PC)	Ottawa West / -Ouest	Chiarelli, Robert (L)
Hamilton Centre / -Centre	Christopherson, David (ND)	Oxford	Hardeman, Ernie (PC)
Hamilton East / -Est	Agostino, Dominic (L)	Parkdale	Ruprecht, Tony (L)
Hamilton Mountain	Pettit, Trevor (PC)		
Hamilton West / -Ouest	Ross, Lillian (PC)		

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Parry Sound	Eves, Hon / L'hon Ernie L. (PC) Deputy Premier, Minister of Finance, government House leader / vice-premier ministre, ministre des Finances, leader parlementaire du gouvernement	Scarborough North / -Nord	Curling, Alvin (L)
Perth	Johnson, Bert (PC)	Scarborough West / -Ouest	Brown, Jim (PC)
Peterborough	Stewart, R. Gary (PC)	Simcoe Centre / -Centre	Tascona, Joseph N. (PC)
Port Arthur	Gravelle, Michael (L)	Simcoe East / -Est	McLean, Hon / L'hon Allan K. (PC) Speaker / Président
Prescott and Russell / Prescott et Russell	Lalonde, Jean-Marc (L)	Simcoe West / -Ouest	Wilson, Hon / L'hon Jim (PC) Minister of Health / ministre de la Santé
Prince Edward-Lennox- South Hastings / Prince Edward-Lennox- Hastings-Sud	Fox, Gary (PC)	Sudbury	Bartolucci, Rick (L)
Quinte	Rollins, E.J. Douglas (PC)	Sudbury East / -Est	Martel, Shelley (ND)
Rainy River	Hampton, Howard (ND)	Timiskaming	Ramsay, David (L)
Renfrew North / -Nord	Conway, Sean G. (L)	Victoria-Haliburton	Hodgson, Hon / L'hon Chris (PC) Minister of Natural Resources, Minister of Northern Development and Mines / ministre des Richesses naturelles, ministre du Développement du Nord et des Mines
Riverdale	Churley, Marilyn (ND)	Waterloo North / -Nord	Witmer, Hon / L'hon Elizabeth (PC) Minister of Labour / ministre du Travail
S-D-G & East Grenville / S-D-G et Grenville-Est	Villeneuve, Hon / L'hon Noble (PC) Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales, ministre délégué aux Affaires francophones	Welland-Thorold	Kormos, Peter (ND)
St Andrew-St Patrick	Bassett, Isabel (PC)	Wellington	Arnott, Ted (PC)
St Catharines	Bradley, James J. (L)	Wentworth East / -Est	Doyle, Ed (PC)
St Catharines-Brock	Froese, Tom (PC)	Wentworth North / -Nord	Skarica, Toni (PC)
St George-St David	Leach, Hon / L'hon Al (PC) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement	Willowdale	Harnick, Hon / L'hon Charles (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Sarnia	Boushy, Dave (PC)	Wilson Heights	Kwinter, Monte (L)
Sault Ste Marie / Sault-Sainte-Marie	Martin, Tony (ND)	Windsor-Riverside	Cooke, David S. (ND)
Scarborough-Agincourt	Phillips, Gerry (L)	Windsor-Sandwich	Pupatello, Sandra (L)
Scarborough Centre / -Centre	Newman, Dan (PC)	Windsor-Walkerville	Duncan, Dwight (L)
Scarborough East / -Est	Gilchrist, Steve (PC)	York Centre / -Centre	Palladini, Hon / L'hon Al (PC) Minister of Transportation / ministre des Transports
Scarborough-Ellesmere	Mushinski, Hon / L'hon Marilyn (PC) Minister of Citizenship, Culture and Recreation / ministre des Affaires civiques, de la Culture et des Loisirs	York East / -Est	Parker, John L. (PC)
		York Mills	Turnbull, David (PC)
		York-Mackenzie	Klees, Frank (PC)
		York South / -Sud	Rae, Bob (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
		Yorkview	Sergio, Mario (L)

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

CONTENTS

Tuesday 14 November 1995

MEMBERS' STATEMENTS

Legal aid	
Mr Chiarelli	693
N'swakamok Native Friendship Centre	
Ms Martel	693
Rotary International student exchange program	
Mr Martiniuk	693
Post-secondary education	
Ms Castrilli	693
Highway safety	
Mr Wildman	694
Chris Hadfield	
Mr Chudleigh	694
Floyd White	
Mr Bradley	694
Mr Froese	695
Adoption Month	
Mr Martin	694

ROYAL ASSENT

Labour Relations and Employment Statute Law Amendment Act, 1995, Bill 7,	
The Lieutenant Governor	695

STATEMENTS BY THE MINISTRY AND RESPONSES

Karla Homolka	
Mr Harnick	696
Ms Castrilli	697
Mr Bradley	698
Mrs Boyd	698

ORAL QUESTIONS

Health care funding	
Mrs Caplan	698
Mr Wilson	698
Mr Rae	701
Mr Harris	701
Highway safety	
Mr Bartolucci	699
Mr Palladini	699, 700
Mr Laughren	700
Karla Homolka	
Ms Castrilli	702
Mr Harnick	702
Child care	
Mr Rae	703
Mr Tsubouchi	703, 704
Mrs Papatello	704
Workers' Compensation Board	
Mr Pettit	703
Mr Jackson	703
Children's aid societies	
Mr Cooke	704
Mr Tsubouchi	704

Vehicle safety	
Mrs Marland	705
Mr Palladini	705
Jobs Ontario	
Mr Phillips	705
Mr Saunderson	705
Alternative fuels	
Mr Hampton	706
Mr Villeneuve	706
Agricultural trade	
Mr Jordan	706
Mr Villeneuve	706

PETITIONS

Labour legislation	
Mr Ruprecht	707
Ms Churley	707
Property assessment	
Mr Carr	707
Highway safety	
Mr Miclash	707
Mr Gravelle	709
Mr Michael Brown	709
Services à la Jeunesse de Hearst	
Mr Len Wood	707
Tigger the cat	
Mr Shea	707
Child care	
Mr Agostino	708
Mr Froese	708
Mr Bartolucci	709
St Stephen's Secondary School	
Mr O'Toole	708
Hospital restructuring	
Mr Kwinter	708
Mr Colle	709
Community-based justice options	
Mr Patten	708
Child abuse	
Mr O'Toole	709

FIRST READINGS

Realty Tax Freeze Statute Law Amendment Act, 1995, Bill 17	
Mr Carr	709
Citizens Assembly Project Act, 1995, Bill 18,	
Mr Chiarelli	710

SECOND READINGS

Workers' Compensation and Occupational Health and Safety Amendment Act, 1995, Bill 15,	
Mrs Witmer	710
Mr Duncan	712, 723
Mr Marchese	722
Mr Baird	722

Mr Michael Brown	722
Mr Len Wood	723
Ms Lankin	723
Debate adjourned	727

OTHER BUSINESS

Annual report, Provincial Auditor	
The Speaker	695
Legislative pages	
The Speaker	695
Hans Daigeler	
Mr Grandmaître	695
Mr Rae	695
Mr Baird	696

TABLE DES MATIÈRES

Mardi 14 novembre 1995

SANCTION ROYALE

Loi de 1995 modifiant des lois en ce qui concerne les relations de travail et l'emploi, projet de loi 7,	
Le lieutenant-gouverneur	695

PÉTITIONS

Services à la Jeunesse de Hearst	
M. Bisson	708

PREMIÈRE LECTURE

Loi de 1995 modifiant des lois et visant à geler les impôts financiers, projet de loi 17, M. Carr	
Loi de 1995 sur le projet d'assemblée de citoyens, projet de loi 18,	
M. Chiarelli	

DEUXIÈME LECTURE

Loi de 1995 modifiant la Loi sur les accidents du travail et la Loi sur la santé et la sécurité au travail, projet de loi 15,	
M ^{me} Witmer	
Débat ajourné	727

AUTRES TRAVAUX

Hans Daigeler	
M. Grandmaître	695
M. Rae	695

CA20N
X1
-D23



No. 23

N° 23

ISSN 1180-2987

Legislative Assembly of Ontario

First Session, 36th Parliament

Assemblée législative de l'Ontario

Première session, 36^e législature

Official Report of Debates (Hansard)

Journal des débats (Hansard)

Wednesday 15 November 1995

Mercredi 15 novembre 1995



Speaker
Honourable Allan K. McLean

Président
L'honorable Allan K. McLean

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

Hansard on your computer

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. For a brochure describing the service, call 416-325-3942.

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-7411.

Subscriptions

Subscription information may be obtained from: Sessional Subscription Service, Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur votre ordinateur

Le Journal des débats et d'autres documents de l'Assemblée législative pourront paraître sur l'écran de votre ordinateur personnel en quelques heures seulement après la séance. Pour obtenir une brochure décrivant le service, téléphoner au 416-325-3942.

Renseignements sur l'Index

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-7411.

Abonnements

Pour les abonnements, veuillez prendre contact avec le Service d'abonnement parlementaire, Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311 ou, sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 15 November 1995

The House met at 1332.

Prayers.

MEMBERS' STATEMENTS MINISTER OF TRANSPORTATION

Mr Frank Miclash (Kenora): As he insists on continuing to insult the people of northern Ontario, I wish to direct this statement to the attention of the Minister of Transportation.

Minister, yesterday, in response to a question by the member for Sudbury, you proudly stated, "I actually have friends in the north." Well, I would suggest to you that if you go ahead with this lame and dangerous plan of yours to cut winter highway maintenance, then those friendships will be short-lived.

In fact, I would suggest to you that this may already be the case, as a recent petition against your cutbacks was even signed by a past president of the Kenora Riding Provincial Progressive Conservative Association—one of your own.

But seriously, your statement, along with your previous comment suggesting we should all carry cellular phones to use in emergencies, truly underscores the fact that you have a complete and utter lack of understanding about northern Ontario and northern transportation issues.

Highways are our lifeline in the north. To make our highways less safe in the winter puts everyone at risk. Your cuts to winter road maintenance are, I predict, going to be responsible for a great many accidents in the north this winter and, I fear, many more deaths.

When this becomes the case, sir, history will no doubt judge that you and this government will be at fault because of this irresponsible plan.

FRANCHISE BUSINESSES

Mr Tony Martin (Sault Ste Marie): Tomorrow I bring before this House a private member's bill to regulate the franchise industry.

Franchising has become a very popular and significant way to do business in Ontario, and every community, small and large, has become more and more dependent on the economic activity generated in this way as time has gone on.

I bring this legislation before the House, recognizing that most of the work done on it was carried out by my colleague from the last government, Mr Jim Wiseman, MPP for Durham West. His bill, Bill 182, was still in the order paper at the time of the June 8 election.

Since that time, I have been approached by franchisees sharing their situation with me, indicating that nothing much has changed for them. In fact, in some instances, things have gotten worse. I have a real concern for this small business element of my community and for the

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 15 novembre 1995

community as a whole if this issue is not resolved and clear rules are not laid out and enshrined in law. I am not introducing anything new to Canadian law by way of this bill, as similar legislation was introduced and indeed passed some five years ago in Alberta.

I urge the members of the House to be here tomorrow morning at 11 am to listen to the arguments and to support this bill. Do it in the interest of small business and in the interest of the positive impact these enterprises have in your own communities.

RICHARD CAVANAGH

Mr Dan Newman (Scarborough Centre): I rise today to recognize Mr Richard Cavanagh, an outstanding citizen of Scarborough who dedicated 28 years of service to the Scarborough Public Utilities Commission.

I'd like to bring to the attention of this House that Mr Cavanagh has recently been honoured by the Scarborough Public Utilities Commission by having a state-of-the-art transformer station in Scarborough named after him. This Scarborough transformer station is the first of its kind in North America and it will be called the Richard E. Cavanagh Transformer Station.

Beyond his committed service to the city of Scarborough, Mr Cavanagh has been a dedicated Ontarian and Canadian. From 1941 to 1946, Mr Cavanagh served in the Royal Canadian Navy. Upon his return from service, he worked for several electrical contracting firms until 1956, when he founded his own company, R.E. Cavanagh Electrical Ltd. In 1966, Mr Cavanagh was first elected to the Scarborough Public Utilities Commission and served in this capacity until his retirement in 1994. An active member of the community, he has also participated in numerous associations and was appointed to serve on the Ontario Hydro board in 1985 by the then Premier, Bill Davis, and reappointed in 1988 by the then Premier, Mr Peterson.

Mr Cavanagh represents commitment, dedication and service to his family, the city of Scarborough and Ontario. Please join me in recognizing Mr Richard Cavanagh for his outstanding work for the city of Scarborough and to congratulate him on his honour.

CITIZENS OF DISTINCTION AWARDS

Mr Dominic Agostino (Hamilton East): I would like to bring to the attention of the House five individuals who are receiving a very distinguished award in Hamilton this evening. Jackie Washington, Enrico Mancinelli, Dennis Whitaker, the late Father Sean O'Sullivan and Irving Zucker will be honoured with the 1995 Citizen of Distinction Award.

Jackie Washington was born in Hamilton in 1919 and went on to become a very successful musician across the country.

Enrico Mancinelli came to Canada from Italy in 1952 and was instrumental in forming the Labourers' International Union of North America and is now serving as international vice-president of LIUNA.

Dennis Whitaker came to Hamilton in 1937. After graduating from Royal Military College in Kingston, he was an accomplished soldier, a star football player with the Hamilton Tigers, and went on to be general manager of a large brewery, a radio station and chairman of the Canadian equestrian team.

Father Sean O'Sullivan in 1971 was executive assistant to Prime Minister John Diefenbaker. The following year, at the age of 20, Father Sean O'Sullivan became the youngest Canadian to ever be elected to Parliament, representing Hamilton-Wentworth. In 1981, he was ordained to the priesthood. Father Sean O'Sullivan died of leukaemia at the age of 37.

Irving Zucker, a great Hamiltonian, has contributed in the business community and the arts community. He has played a key role in the successful radio stations in Hamilton and surrounding areas.

The dedication and contribution each of these individuals has made to Ontario are highly commendable. Their involvement in the community and the public service they have undertaken are exemplary. Each of these individuals is to be congratulated on their invaluable contribution to Ontario.

I'd like to add my warmest congratulations and those of the House to each of these gentlemen in achieving such a high honour. You've made all of Ontario very proud.

TRANSFER PAYMENTS TO MUNICIPALITIES

Ms Shelley Martel (Sudbury East): One month ago, Sudbury regional council adopted a strategy to deal with an estimated 20% cut in transfers from this Conservative government. The decision was made not only because of Minister Leach's comments at the AMO convention, but because regional council has already been hit by cuts, courtesy of this government.

Consider the welfare changes. Due to the high caseload, Sudbury had 90% of welfare payments to recipients covered by our government. Grants also helped with the administrative costs. The Conservative changes mean regional taxpayers will actually pay some \$152,000 more to administer the system.

Or consider the child care changes. Some 166 Jobs Ontario child care spaces were funded 100% by our government. The cut to 80% by the Conservatives means regional taxpayers will pay \$243,000 more next year to keep the spaces open.

1340

The 20% cut in transfer payments represents the single largest revenue loss the corporation has ever experienced. This downloading reflects an amount 10 times the social contract target. The best-case scenario has a loss of \$5.6 million next year, resulting in a 12% local tax increase, and the worst-case scenario, one where the Tory government decides not to continue the northern support grants, results in a revenue loss in the order of \$15.6 million and a local tax increase next year of 34%.

In the Common Sense Revolution, the Conservatives promised, "We will work...with municipalities to ensure that any actions we take will not result in increases to local property taxes." What happened to that promise and what do Sudbury taxpayers do now?

TMJ DISORDERS

Mr Bart Maves (Niagara Falls): I am pleased to tell you today about the steps our government is taking to meet the needs of people in Ontario suffering from TMJ disorders.

TMJ, or temporomandibular joint disorders, causes pain and dysfunction of the joints and muscles involved in chewing and other related structures of the mouth and face. Those with TMJ disorders suffer from facial pain, headaches, joint noises and jaw function difficulties. These symptoms recur periodically and vary in intensity.

Mount Sinai Hospital has agreed to have its cranio-facial pain unit offer specialized treatment to all TMJ patients in the province. The Ministry of Health and the hospital will continue to meet to discuss how the hospital's TMJ program can be set up as a provincial centre.

In the past, many patients have been forced to seek treatment outside of Ontario. However, covering the costs for treatment becomes complicated by the various conditions attached to how the services must be provided.

Fortunately, the disorder does not affect many people. Mount Sinai already treats some of these patients each year, while the ministry has paid for 14 patients to receive services outside of Ontario since June 1992.

Our government is moving to fill a gap that has existed in the health care system for far too long. I would like to thank the honourable Minister of Health, Jim Wilson, for recognizing that it makes more sense to treat people in Ontario. Establishing a provincial centre for the treatment of TMJ is clearly the most effective approach and will make it easier for TMJ patients to get the services they need.

HEALTH CARE FUNDING

Mr Bruce Crozier (Essex South): I would like the House today to recognize in the members' west gallery a constituent of mine from the town of Essex and from the riding of Essex South, Rose Kulimouski. Rose is at Queen's Park today to present me with a petition signed by over 4,000 Ontarians. Their common concern is the future of health care in the province. Briefly, she and the petitioners are concerned that user fees are being introduced and funding is being reduced. The petition indicates concern with the government by breaking its solemn election vow.

I commend Rose and her friend Mae for their outstanding effort. She is a retired widow and has travelled to Queen's Park by herself. She is committed to rallying Ontarians behind her concerns. Rose vows that these 4,000 signatures are only the beginning and she says there will be thousands more that she will deliver in the future. Colleagues, Rose is concerned about the future of health care in Ontario. I hope you share her concern and I commend her effort for bringing it to our attention.

ENVIRONMENTAL ASSESSMENT

Ms Frances Lankin (Beaches-Woodbine): Last week I and the constituents of Beaches-Woodbine received very

bad news from the Minister of Environment and Energy. She has decided to recommend a regulation to cabinet to exempt the western tank tunnel from a full environmental assessment. This is a seriously wrong decision from an environmental perspective. When I spoke to the minister about her decision, she said the reason for it was that she believed municipalities had to take more responsibility for these types of decisions.

I was amazed by that answer. It was like the minister had no understanding of why the full environmental assessment was ordered in the first place. It's precisely because the municipal governments involved—in this case Metro and the city of Toronto—wouldn't take responsibility for coordinating the planning of a sewer system master plan or for the coordination of an environmental impact assessment of the inter-related issues in two proposals: the Metro proposal to expand incineration at Ashbridges Bay sewage treatment plant and the city of Toronto proposal to build the western beach tank tunnel to transport combined sewage overflow to Ashbridges Bay for incineration.

The minister has made a commitment to me and a number of community environmentalists to meet with us. I hope the minister will listen to common sense at that meeting—common environmental sense. We know there are much more effective and cheaper ways to clean up the western beaches and to avoid a massive increase in incineration at Ashbridges Bay. The only way to get those alternatives on the table is to proceed with the intended environmental assessment.

POLICE BRAVERY AWARD

Mrs Margaret Marland (Mississauga South): As the member of provincial Parliament for Mississauga South, I'm very proud that one of my constituents, Constable Phillip Saigeon, has been awarded the Ontario Medal for Police Bravery.

Constable Saigeon, a member of the Metropolitan Toronto Police, is among six police officers and six firefighters who were recently honoured at Queen's Park for exceptional bravery in the line of duty.

Constable Saigeon and his partner, Constable Ernest Jost, responded on November 21, 1994, to a car fire in the parking lot of an apartment building. When the two officers went to talk to the vehicle's owner, he flung open his apartment door and aimed a rifle directly at Constable Jost.

The officers could see that the man did not have his finger on the trigger and so held their fire, concerned for the safety of a female resident who was also in the hallway. They repeatedly issued the police challenge and the man yelled for them to shoot him.

After some time, the man dropped his gun and lunged at Constable Jost. Constable Saigeon holstered his own weapon and assisted his partner. During the struggle he was bitten on the hand, but together the officers managed to subdue and handcuff their assailant.

Constable Saigeon's neighbours in Mississauga and the residents of Metro Toronto join me as I congratulate and thank him and Constable Jost for their act of bravery, undertaken without concern for their own safety. It is a

fitting reminder that police officers often risk their lives in order to serve and protect us.

VISITORS

The Speaker (Hon Allan K. McLean): I have some special guests I would like to introduce. I would like to inform the members of the Legislative Assembly that we have in the Speaker's gallery today the Honourable Gilbert Parent, Speaker of the House of Commons in Ottawa. Please join us to welcome our guest.

I'd also like to inform the members of the Legislative Assembly that we have in the Speaker's gallery today Mr Chris Carter, member of Parliament for Te Atatu in Wellington, New Zealand. Please join me in welcoming our guest.

I'd like to inform the members of the Legislative Assembly that we also have in the Speaker's gallery six senior staff officers from the Federation Council of the Russian Federal Assembly. Please join me in welcoming our guests.

Mr Dwight Duncan (Windsor-Walkerville): Mr Speaker, I believe we have agreement, unanimous consent, on the passing of a former member.

The Speaker: Do we have unanimous consent? Agreed.

BERNIE NEWMAN

Mr Dwight Duncan (Windsor-Walkerville): Last week the people of Windsor, indeed the people of Ontario, lost a good friend and someone who served with distinction in this Legislature for 28 years. Bernard Newman, or Bernie, as we call him at home, was first elected to the Legislature in 1959. He served consecutively until 1987, when he retired from the Legislature.

Bernie made a remarkable contribution not only in this House but in his constituency, the constituency which I now represent. Bernie was a tireless worker. As a member of this assembly, he served on a variety of committees. He served with distinction on special and select committees, served in a variety of critics' positions, and indeed he served as deputy whip of our party for a period of time as well.

Prior to joining the assembly, Bernie served on Windsor city council from 1954 to 1959. Indeed, his contribution not only to our community and province went beyond that. In 1956 he coached gymnastics at the 1956 Olympic Games.

1350

Bernie was a tireless worker in our community, as a school teacher and educator, a man who was born and raised in Windsor-Walkerville, who lived his entire life in that riding and whom we buried there last week. Bernie passed away at the age of 81. His constituents will always remember his kindness, his thoughtfulness and his hard work on their behalf. He was famous for birthday cards and other memorabilia from this House.

As his son Bernie Jr said at the funeral last week, "Though we are saddened by his loss, we celebrate a full and complete life, a life of public service, a life that went beyond simply being a member of provincial Parliament, but being a man of great compassion and a man who served with diligence and understanding."

I'm honoured to pay tribute to him today and I'm honoured to represent the riding he represented so well.

Mr Speaker, I hope you'll pass these comments on to Mr Newman's family and I hope other members join me as we pay tribute to a wonderful human being who served in this House with truly great distinction.

Mr Bud Wildman (Algoma): I join with my colleagues on behalf of our party to pay tribute to Bernie Newman. I agree that we are indeed celebrating a life of achievement.

Bernie, if you look at his résumé, had a wonderfully fulfilling life. He was the youngest university graduate in Canada from the University of Western Ontario in 1939. He achieved, as my colleague has said, distinction in gymnastics coaching at the international level. He served the people of Windsor-Walkerville with distinction as an alderman and then here in this place for 28 years. I think all of us will recognize that in itself is an enormous achievement.

It is said when he was serving the people of Windsor-Walkerville that it would be very difficult to ever conceive of the possibility of Bernie Newman losing an election. He seemed to know everybody in the constituency, not only them but their fathers and mothers and perhaps their grandparents. He either taught them or knew them from the constituency work he did out of his kitchen, on his kitchen table, every weekend when he returned home.

Bernie was known as having a common touch, a tremendous compassion and particularly an interest in youth. Frankly, I think that he really was the epitome of a constituency politician. I think he understood what Tip O'Neill said, that all politics are local. He certainly could be an example to all of us as members of the Legislature in serving our constituents.

My colleague has mentioned Bernie's penchant for sending out Christmas cards and birthday cards, which I suppose might not sound that unusual except that he also sent out graduation cards, not just from university or college, not just from high school, but also from elementary school, and he probably attended every possible local event and every family event in his riding while he served in this place.

Bernie Newman was a very dedicated and sincere man who loved his community and enjoyed serving it to the best of his ability for many, many years. It was a privilege to know him.

Hon Norman W. Sterling (Minister of Consumer and Commercial Relations): It's my pleasure to speak a little bit about Bernie Newman, because from 1977 to 1987 I had the pleasure of serving in this Legislature with Mr Newman.

The previous speakers have portrayed Bernie as a very caring individual for his constituents. I think we should not lose sight of the fact that during the very early periods of his experience here as a legislator, when MPPs didn't have the significant resources which we do have now, Bernie Newman was the research centre for the Liberal Party of Ontario.

If you walked into Bernie Newman's office, which I would from time to time because I considered him a friend of mine, even though he was in a different political party than I, you would see a whole host of boxes and slots across the back of his particular office. If a Liberal member wanted to know something about a particular topic, they would go into Bernie's office and ask him, "Do you have such-and-such a report?" and Bernie would be able to find it for that Liberal member.

So Bernie was not only a skilled politician in terms of his ability to deal with his constituents but also a very significant resource for his Liberal Party. He was a true politician and contributed greatly to the Legislature in terms of his contribution in doing that.

I don't know if I've ever met an MPP who loved his job more than Bernie Newman did. As I got to know him over the years, he would tell the stories about how he loaded up his trunk and would drive to Windsor every Friday to deliver I don't know how many plaques. I'm sure the government is much poorer for the number of plaques which Bernie delivered over the period of time, but I really, truly believe that it was not a case of trying to seek electoral support in terms of doing that, but it was truly because he did want to extend greetings, he did want to visit those people.

I'll never forget one evening at my home in Manotick, in 1985 or 1986, when I invited members of a committee which was travelling to Ottawa to enjoy dinner with me that evening in my backyard. A neighbour's child, who was studying gymnastics and was practising gymnastics, came over. Bernie spent probably 20 or 25 minutes with that young person, talking to this particular young gymnast and trying to encourage her to continue on into her career over a period of time. I'll never forget his dedication of time, his interest in that young person, whom he knew he would never see again in his life. I always respected him for the time and effort that he would put out on behalf of the young people of Ontario.

As Bernie progressed from being in opposition to being a member of government, he was struck down by the early stages of Alzheimer's, which eventually I believe led to his ultimate demise. I was concerned, as I was travelling on the committee with Bernie, about the fact that I saw the early signs of this, and I did personally, on 10 or 12 occasions, call his assistant to express my concern about his health. I want members of the Legislature to know that each and every one of us does have an obligation to each other, regardless of party, to look out for each other in terms of these kinds of sicknesses which strike us.

I believe Bernie Newman was a tremendous MPP, not only in terms of what he did for his constituents. He was a compassionate man. He loved his job. His family should celebrate his life, because this was indeed a great MPP, a great member of the Legislature, and my party would like to express our condolences and sympathies in celebration with his wife and his five children.

The Speaker (Hon Allan K. McLean): I'd like to thank all members for their kind words, and I will see that the Newman family will get a copy of the Hansard.

1400

ORAL QUESTIONS

TAX EVASION

Mr Gerry Phillips (Scarborough-Agincourt): My question is to the Minister of Finance. He knows that yesterday the Provincial Auditor's report indicated that the number one problem the Provincial Auditor sees is cheating on taxes in the province. He indicates that it's a large and a growing problem. If you look at the auditor's report and other work that we've done here, it looks like the magnitude of the problem is probably that we are losing up to \$3 billion a year in tax revenue in the province of Ontario. Importantly, he also says that he is very concerned that the law is not being enforced—that's what he said—and that people are losing confidence in the system. As I say, it was his number one problem that he outlined yesterday.

Now, we've seen one indication from this government on how you deal with people whom you see cheating, and that was your welfare approach. Just recently all of the members got this poster. We are asked to go around to public buildings and staple it up so we can hunt down welfare cheats in the province. It says, "Help Us Stop Welfare Fraud." Phone this number if you even suspect someone of welfare fraud.

This tax evasion problem is 10 times the size of the welfare problem. Can you outline for us the approach that you're taking for dealing with this particular problem?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): We take the comments and the recommendations made by the Provincial Auditor yesterday on this past fiscal year and the state of retail sales tax collection in the province of Ontario very seriously. The member will probably know that the government is, and has been, in the process of changing its computer system to try to assist in that regard. But that is not by any means the sole solution to the problem.

I take very seriously the Provincial Auditor's remarks with respect to the appointment of more auditors being required to police, if you will, people who abuse and cheat the system. Indeed, they are really taking money from honest, hardworking, taxpaying Ontarians who do not abuse the system and who do not cheat the system. We are indeed planning on looking at those recommendations of the auditor and following the recommendations of the auditor to try to reduce the amount of fraud and abuse in the system.

Mr Phillips: The problem is the double standard that many people see in this province. Every one of us has an interest in stamping out fraud. Every single person in the Legislature and Ontario does. But we see one approach that you take, and that's with people on social assistance. You literally ask us to go out and post in public buildings a kind of wanted poster and you say that people who cheat on welfare need to be prosecuted, they're crooks.

Then we heard yesterday the Premier say, about people who cheat on taxes, that it's human nature to cheat—human nature to cheat. So on the one hand people who cheat on welfare are crooks and you have to prosecute

them, but if you're just cheating on taxes it's human nature. We today have had calls from many business people saying, "I am trying to operate a business honestly, and for the Premier to say it is human nature is wrong."

Can the minister explain this apparent double standard: that on the one hand you're a crook if you cheat on welfare, but it's just simply human nature if you cheat on taxes?

Hon Mr Eves: Indeed, the Premier did not say it was just human nature. That is one part of what he said, if you'll read the rest of his quote in the same sentence: "The Premier said tax cheating is 'regrettable' and 'unfortunate, but that seems to be human nature...around the world and something we want to correct.'" Why didn't you finish the rest of the quote? I'm sure the honourable member wouldn't want to leave a mistaken impression of what the Premier said.

Having said that, I have just got through saying to the honourable member that we take the recommendations of the Provincial Auditor very seriously and we look to implementing them in trying to resolve the problem of abuse that we have in the system. I might point out to the honourable member that one of the reasons we have the overwhelming abuse in the system is the fact that you two parties over there raised taxes 65 times in 10 years.

Mr Phillips: This is typical of this government. You want us to go out around in community centres and on posts out in the community saying, "Hunt down welfare cheats," but the Premier says it is human nature to want to cheat on taxes.

It is because of this double standard that we have so much trouble in believing this government can in any way believe this is acceptable, to say that it is human nature to cheat on taxes. The Premier never said it was human nature to cheat on welfare. They were crooks, and we're going to go after them, hunt them down.

I want you to say to the people of Ontario, people who cheat on taxes are just as much of a problem as people who cheat on welfare—it is 10 times the size of the problem—and we are going to see the same concerted effort by this government that you took to track down poor people on welfare who may or may not be cheating.

Hon Mr Eves: Yes, you will have it. I noticed the member didn't read my quote from yesterday out of the paper: "It's not fair to the hardworking, taxpaying Ontarians that some abuse the system and don't pay their fair share.... It's our responsibility and our function to make sure that that is corrected." And we will do so in spite of you two parties over there, who created the situation and the climate in the first place.

MINISTRY ADVISER

Mr Dwight Duncan (Windsor-Walkerville): My question is to the Minister of Finance as well. I was absolutely shocked when I read today—

Laughter.

Mr Duncan: Oh, they laugh. They laugh. For a gang that sees fit to employ convicted con artists to sell its message, they ought not to laugh. That's what we're all shocked about, and we don't think it's a laughing matter.

According to the Toronto Star today, Jamie Watt, the former aide to Mike Harris who resigned in disgrace in July when it was revealed that not only did he have a criminal record but he also concealed that record from the Premier's office, is once again on the government payroll. We understand Watt has been hired on a contract basis by the Finance department to help develop a communications strategy for your November economic statement.

The Speaker (Hon Allan K. McLean): Put your question, please.

Mr Duncan: Do you feel it necessary to hire someone convicted of 13 fraud and forgery charges stemming from a \$19,000 swindle of 14 victims to help sell your plan for drastic cuts? Why—

The Speaker: Order. The question has been asked.

Mr Duncan: Why would you hire somebody like that?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): The member for Windsor-Walkerville perhaps is one of the few people in the world who can stand in his place and say he's never made a mistake in his life. I, for one, am not in that category. Maybe he is. He's a very rare individual indeed if he is.

Mr Watt indeed made a serious mistake many years ago when he was a young man. He has paid for that mistake through the court system. He has made financial restitution. He is also a very talented individual. He has been hired on a short-term contract by this government to advise us.

I see the member for Oriole chuckling away over here. Does the name Patti Starr ring a bell? I mean, talk about a double standard.

Any mistake Mr Watt has made in the past, Mr Watt has paid for. He is a talented individual in the communications field. He has been hired on a short-term contract, through a company he works for, as an adviser to the government.

Perhaps the member for Windsor-Walkerville could tell us if he's ever made a mistake in his life that he's not proud of. Could you stand up here and tell us that, please?

Mr Duncan: The answer is just mind-boggling. It's not a mistake. It's criminal. The Toronto Star article states that his selection was defended by your staff and that you personally okayed the contract. My supplementary is simply this: How much is this convicted swindler being paid? How much is he being paid, how long will he be on contract and what are his precise instructions with respect to your communications strategy?

Hon Mr Eves: I notice the member for Windsor-Walkerville didn't answer the question I asked him, but I will answer the question he asked me.

Interjections.

Hon Mr Eves: Look at the members over there, how holier than thou they are, standing there. They've never made a mistake.

To answer your question very directly, which is more than I can expect from you, the company we have

retained that Mr Watt is associated with is called En-Tech Associates, out of Oakville, Ontario. They are a management consultant firm and we are paying them on a short-term contract of no longer than two months, no more than, depending on the amount of work done, \$14,000. Does that answer your question?

1410

Mr Duncan: The minister's arrogance is simply breathtaking, to suggest that I should be answering a question when it was he and his department that hired a convicted fraud artist. Could it be that only someone convicted of fraud could sell your Common Sense Revolution of broken promises on health care to seniors and the disabled? How did you decide to hire somebody? Surely there's somebody over there who doesn't have a criminal record who could help solve this. What does that say about your credibility and the credibility of a government that would hire a convicted fraud artist to sell its financial plan, a financial plan that hasn't even been discussed at all in this House?

Hon Mr Eves: No more than a couple of weeks ago his leader was crying about rehabilitating people. Now we should never, ever give anybody who has ever been convicted of any offence another shot; never, that's it. Where is Lyn McLeod now that we need her?

Mr Watt is a very competent, capable individual. He works for a firm we have hired to give us some communications advice for no more than two months. I've answered the question very directly to the point that I don't know what more the honourable member can ask for. I know he's probably surprised he got a direct answer, but he got one.

HEALTH CARE FUNDING

Mr Bob Rae (York South): To the same minister, I congratulate him for setting up a halfway house at the Frost Building.

I have a question on another subject to the same minister. It concerns the issues I raised yesterday on the subject of the proposed user fees. I'm going to the Minister of Finance because it really touches on the issue of financial fairness.

According to our calculations, and they're the calculations we go on from the Common Sense Revolution bible, to which we all pay such obeisance, someone with an income of \$25,000 would get a tax break of \$586, fully applied. Their extra drug costs would be \$713, which means that their net loss under the Tory plan would be \$127. If you're a senior with \$150,000, your tax break will be nearly \$10,000, and your net saving would be \$5,700.

How can the minister justify such a policy—because what you're doing with the drugs has to do with an additional cost imposed on people? Why are you giving such a break to seniors making \$150,000, but to those making \$25,000, they end up giving you back—you back, you, the person who's the champion of setting the people free—\$127? What's the fairness in that?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): First of all, there is no Tory drug plan that I'm aware of that has

been approved. The leader of the third party is speculating. With respect to the particulars of the same, I would refer to the Minister of Health.

Mr Rae: I'm going on the basis of the answers that were given to me yesterday by the Premier and were given in answer to questions from my colleague from Oriole by the Minister of Health.

If you have no plan, how is the Minister of Health so sure that certain people are going to be affected in such-and-such a way and such others are not? I see him shouting over an answer and I know the Minister of Finance well enough to know that no amount of heckling is going to ruffle even a single hair on his head.

I would say to the minister that if he is standing in his place and saying that the government has no plans to bring in user fees for drug costs, he's directly contradicting the comments made by the Premier in this House and outside. The Premier has admitted it is the government's intention to bring in user fees for drugs. He said it twice. He said it yesterday and he said it outside in the scrum.

My question to the Minister of Finance is again on this question of fairness. Your tax break, even with the health care levy—and we don't know how you're going to do that because it's not legal right now—is going to provide a net saving of nearly \$6,000 for a senior making over \$150,000, but for a senior making \$25,000, they're going to end up paying you \$127. I'm asking you a very simple question: Why are you punishing low-income seniors in this way? Why are you doing this?

Hon Mr Eves: The only thing that has been said by the Premier is that we are looking at every single program, including the Ontario drug benefit program. He has never said we will be punishing low-income seniors. He has never said low-income seniors would have to pay a fee. There is no accepted, or approved, if you want to put it that way, Tory or government plan. If there was, I would surely know about it, and I do not.

Mr Rae: I'm sure the Minister of Finance knows everything that's going on in government, but can he give us this assurance, therefore, can he give us a categorical assurance that those seniors who are making \$25,000 or \$30,000 will not have to pay any user fee, any prescription cost, any one-time drug cost, any everyday drug cost, under the new Tory plan? Can he give us that categorical assurance, since he seems to be so sure that nothing of that kind is being contemplated by the government?

Hon Mr Eves: The leader of the third party knows full well I can't speak on behalf of the entire government before the government has made a decision on anything. He knows full well there is nobody who can give that categorical assurance on any question he might ask hypothetically in the House.

BUS TRANSPORTATION

Mr Bob Rae (York South): I have a question to the Minister of Transportation on the subject of deregulation. The minister sent out a letter on October 10, 1995, to Mr Brian Crow, who is the president of the Ontario Motor Coach Association, a letter which I know he spent some time thinking about before writing. He said, "As we discussed at our meeting on August 17, the intercity bus

industry will be deregulated." He then went on to say, "It is likely that the required statutory changes will be put before the Legislature within the next 12 months."

The experience of deregulation in the United States has been that literally thousands of US communities no longer have service because of the impact of deregulation.

I want to ask the minister what impact studies or what other studies the minister has undertaken to ensure that any deregulation will not deprive the citizens of this province of vitally necessary bus transportation.

Hon Al Palladini (Minister of Transportation): I would like to assure the honourable member that before deregulation takes effect, we are going to be doing things in an orderly fashion and there's going to be quite a bit of input given from the private sector to see just how we can maintain the services in remote areas, like the leader of the third party has explained. I can assure you that the private sector is going to be able to deliver the services not only more cost-efficiently, but most likely better than what presently is in place.

1420

Mr Rae: The minister I'm sure knows the private sector delivers the service now. That's not the issue. The issue is, what are the terms of the licences that are granted to private sector applicants? One of the terms of the licences right now is that in addition to the profitable routes, people provide, as a condition for getting a licence, a service to communities which perhaps on pure market terms would not generate a profit. That's the reason for having regulation.

If the minister says it's all going to be done in an orderly fashion, I wonder why he would have said in his letter that he signed, "I also suspect that the time frame for deregulation might well need to be tighter than originally contemplated."

That would seem to indicate that the government plans to move quickly on the basis of this ideology of which it is now so clearly seized. I want to ask the minister again specifically, what assurances can the minister give to those seniors and to those other citizens who are living in smaller rural communities that they are going to continue to be served by the private motor coach industry in the province?

Hon Mr Palladini: I would like to share with the leader of the third party that this government is committed to removing barriers to job creation, and deregulation is going to remove a lot of barriers, it's going to create a lot of opportunities for people to open up businesses. Before anything does get implemented, we are going to make sure that the services the leader of the third party is referring to will be in place.

Mr Rae: Perhaps the minister can clear up this confusion which I think his approach is still generating. If you don't believe in regulation and if you intend to deregulate and to abolish the Highway Transport Board—employees of the Highway Transport Board have already been given their notice, so clearly you're intending to abolish it—if that is your policy, if that is what's now in place, can you please tell the seniors in the smaller

communities, apart from your ideology, specifically how it is that you plan to ensure they will continue to have transportation services?

Hon Mr Palladini: There are already services being done in remote areas by private enterprise. As far as the Ontario Highway Transport Board, all that was was an NDP bone that was thrown to people that isn't really going to be serving any purpose. We are committed to doing the right things. This government is committed to removing barriers for job opportunities and small businesses to flourish.

HEALTH CARE FUNDING

Mrs Elinor Caplan (Orlino): To the Minister of Health: During the recent election campaign, your party promised to cut the income tax rate by 30%. Ontarians were sceptical about that promise and you, your party, your Premier, were asked to sign a pledge to the people of Ontario so that they could witness in writing your commitment to keeping that promise. Almost every member of your party signed that including you and your Premier.

During the election, you also promised to protect health care and health care funding. People are sceptical about that commitment, and apparently with good cause. In the gallery today we have Rose Kulimouski. She has gathered a petition because of her concern and the concern of seniors around this province that you are going to be introducing user fees or copayments, whatever you're going to call them today, for drug plans.

I'm going to give you an opportunity to do what you did to those who were interested in a tax cut and sign a pledge today that you will protect health care and health care funding. I'm going to send this over to you; this is a health care protection pledge.

It says, "I hereby pledge that there will be no further cuts to the health care budget in the November 1995 fiscal statement. Further, I guarantee that the Harris government will not make additional cuts to health care as a result of revenue shortfalls."

Minister, will you sign this pledge today?

Hon Jim Wilson (Minister of Health): I find the idea of signing a pledge, after we just had an election campaign and I personally went around this province and went door to door in my riding—my word was accepted by my constituents, as it was by the people of this province.

I helped, along with hundreds of people, to write the Common Sense Revolution and the health care commitments made there, and we fully intend to live up to the commitments contained in the Common Sense Revolution. We've been doing that and we've been working very hard to find administrative savings and to reinvest health care dollars back into health care, back into front-line savings, something you should have started 10 years ago, 15 years ago in this province.

Mrs Caplan: I'm frankly surprised that the minister won't sign this pledge. I have a copy of the taxpayer pledge they signed during the campaign. You said during the election campaign that you wouldn't make cuts to health care. I thought that meant you wouldn't make cuts

to health care. The people of Ontario thought that meant you wouldn't make cuts to health care. When you said you wouldn't introduce new user fees, they thought that meant you wouldn't introduce new user fees or copayments, or whatever you're going to call them today.

I agree with John Downing, who wrote in the Toronto Sun today, "We expect the government to honour the revolution pledges but when you decide not to, it just compounds the insult when you fib."

Minister, will you now come clean and tell the people of this province, admit to them, since you refuse to sign this pledge, that you never had any intention of honouring your health care commitments during the election campaign?

Hon Mr Wilson: Before this member, a member of the Liberal Party, proposes to lecture me about health care and trying to maintain quality services in this province, I highly recommend that she talk to Mr Martin and Mr Chrétien, who will, in a very few months, be hitting health care and education in this province, social services, with a \$1-billion cut.

We owe it to the taxpayers and the people of this province, who expect health care services to be there when they need them most to now prepare our programs, to review our programs and to prepare for the huge cut that Ottawa is going to download on us in just a few months.

I take our responsibilities and our commitments in health care very seriously, as we do our commitments to the taxpayers of this province. It is incumbent upon us to continue to review our programs to get rid of waste, inefficiency, bureaucracy we don't need, the thousands of bureaucrats you people carried for years that we don't need, and they themselves are telling us we don't need all of these people or their programs.

The Speaker (Hon Allan K. McLean): The question has been answered.

Hon Mr Wilson: We intend to, and we will, live fully up to our pledges, and at the end of the day we will be prepared to accept the cuts coming from Ottawa because we realize there is only one taxpayer in this country and this province, unlike—

The Speaker: Order. New question.

MINISTRY ADVISER

Ms Frances Lankin (Beaches-Woodbine): My question is to the Minister of Finance. I want to follow up on the issue of Mr Watt. I actually regret that the earlier question that was asked took the tone it did. It seems to me you must have decided that the best defence is a good offence, and you were pretty blustery and hard-hitting in your responses. But I think there is an issue here of importance and one that should be explored, so I hope perhaps we can have a civil exchange on this.

I have a concern about, first of all, the way in which this contract was let, but I guess it's a question of both consistency and integrity. I think everybody knows the facts surrounding Mr Watt and that in July he was forced to resign from the Premier's office because he didn't want to be subjected to the OPP security clearance test. Perhaps I'll correct my words and say that he wasn't forced to resign; he chose to resign.

My question to the minister is, and could he tell me please, why was it not all right for Mr Watt, with the record that he had, to work full-time in the Premier's office, but it is all right for him to get a contract, an untendered contract, from this minister to help him sell his economic statement?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): The member will know, having been in government a relatively short period of time ago, that all ministries, including the Ministry of Finance, from time to time engage consultants in accordance with the Management Board guidelines, which this is certainly in accordance with. She also knows that from time to time governments get advice from various consulting firms.

1430

For example, my predecessor, Mr Laughren, last time I checked, used management firms to the tune of no less than five times in recent years. He had three full-time communications people working on his staff. He had as many as 22 political people working on his staff. We have one communications person working on our staff. We have 12 political people working in the entire Ministry of Finance. That's a little different from 22 and three.

We have chosen to hire a management consultant firm not just with respect to the fall financial statement or economic statement, but with respect to many other issues that the Ministry of Finance is dealing with at this time. We think we need them on a short-term basis. It is well within the Management Board guidelines, as she well knows, and on that basis we have hired this firm. And, yes, Mr Watt is associated with this firm, and, yes, Mr Watt will be supplying some of the advice offered through this firm.

Ms Lankin: That was a very long answer, and I hope you'll give me the latitude to pursue that with some supplementary questions.

Let me say to the minister that, first of all, he really did avoid what was the gist of my question, but I understand in the points that he made that he is suggesting that with all the bravado we hear about the downsizing of political staff, in fact, the way you decided to go about this is to contract out some of this work to political cronies instead of hiring political staff. That's your choice and I understand it. But let's make the contrast quite clear here.

I appreciate the fact that he informed us that this is a contract of up to \$14,000 and up to two months, and that is under the \$25,000 guideline for tendering. I'm worried about a trend here.

In the Ministry of Community and Social Services, there was a political Tory consultant hired on an untendered contract under \$25,000. In your ministry, and everyone knows Mr Watt was in fact one of the key campaign strategists behind your last campaign, now he's been brought in and hired.

Would the minister please give to us and to the public copies of the contract for the firm that you have hired that employs Mr Watt on this contract, and the details,

and in the Ministry of Community and Social Services for Jan Dymond's contract, to show us in fact what Tory hacks are being asked to do on these contracts and what we're paying for and what we're getting for it?

Hon Mr Eves: First of all, the member leaves the impression that my predecessor never, ever hired anybody with a contract that was untendered for any advice of any kind whatsoever, and she knows full well that nothing could be further from the truth. He did this on a regular basis, despite the fact that he had twice as many political staff as I do, despite the fact that he had three times as many communications staff as this minister has—

Ms Lankin: These are all Tory consultants that you are hiring. These are your campaign strategists.

Hon Mr Eves: Obviously, the honourable member doesn't want an answer. She prefers to talk as opposed to listen.

I have given you a very direct, straightforward answer. You may not have expected it. I've told you exactly what the terms of the agreement with En-Tech Associates are. We have totally complied with the Management Board guidelines. You've got your answer and you're still not satisfied. Is this part of the new rat pack team, or what?

EDUCATION REFORM

Mr R. Gary Stewart (Peterborough): My question is to the Minister of Education and Training. Last week the Ministry of Education and Training announced the elimination of the OAC year of study for students entering grade 9 starting in 1997. What steps is the ministry taking to address the impact this announcement will have on the curriculum and programs offered at other grade levels?

Hon John Snobelen (Minister of Education and Training): I want to thank the honourable member for the question. It was my privilege to stand up in the House two weeks ago and announce that we will initiate a four-year, post-grade-8 secondary school program in the province. That program will begin with students entering grade 9 in September 1997.

We intend to develop a curriculum and a program that will enhance the quality of students who are graduating and intending to attend university in the province of Ontario. Those are already high-quality standards in the province and we believe we can enhance them. But as I said in the House two weeks ago, it's our intention to also pay attention to the graduation of those students who will not be going immediately to university. That represents some 70% or so of students in our high schools.

We intend, while we review curriculum, to enhance the guidance and career education opportunities; we intend to implement a new transition-to-work program for those students; we intend to expand the co-op education program in Ontario that's already enjoyed by some 60,000 students; and we intend to expand the Gateway to Opportunities information package that's available to students. We believe that'll create the best opportunity for students in the province of Ontario who are bound for university and who are bound for the workplace.

Mr Stewart: Thank you, Mr Minister. It's a pleasure to be able to hear your answers for a change.

What is the ministry doing to address the impact of two graduating high school classes entering the first-year programs in the post-secondary system in September 2001?

Hon Mr Snobelen: We have addressed the issue of the double cohort of two graduating classes in the same year, and that's part of the purpose of our announcement some two weeks ago, to make sure students, parents and educators in this province had a lot of notice of our intentions, because we believe that notification period will help the Ministry of Education and Training, the universities, the colleges, the parents and the students to do all the things that can be done to mitigate the impact of that year.

We also have placed on our advisory board that'll be taking us through this transition the colleges and universities so they can work with the Ministry of Education and Training in order to make sure that we have the same opportunity to enter college and university for the students in that year as for every other student in the province of Ontario.

PROTECTION OF PRIVACY

Ms Annamarie Castrilli (Downsview): The province of Ontario has been rocked in recent years by allegations of abuse of young boys by the staff of St Joseph's Training School for Boys and St John's Training School over a period of some decades. During the course of proceedings, and precisely on April 28, 1995, a court order was issued requiring that ward files of former students—

The Speaker (Hon Allan K. McLean): Who's the question to?

Ms Castrilli: I'm sorry, to the Attorney General. My apologies—

Hon Charles Harnick (Attorney General, minister responsible for native affairs): I figured that out.

Ms Castrilli: I had his attention.

On April 28, 1995, a court order was issued requiring that ward files of former students of St John's Training School be transferred to 45 Oaklands Avenue here in Toronto and that they be kept secure. This action was taken to ensure that there was controlled access during the ensuing criminal and civil proceedings.

It has been brought to the attention of the St Joseph's and St John's Training Schools for Boys Helpline organization that information from some of these ward files have in fact been found in curbside garbage alongside 45 Oaklands Avenue. These ward files contain sensitive and privileged information dealing with medical reports, committal orders, psychiatric reports, progress reports and potentially the nature of the individual claims.

As the Attorney General, the court order places responsibility for security of these files clearly on the minister. I would ask the minister to explain to this House how the security in this case was breached and how sensitive documents ended up in the trash.

Hon Mr Harnick: It was only yesterday that copies of certain documentation were delivered to the Ministry of the Attorney General. Several of these documents, I might tell you, have no connection with any of the material placed in the possession of the Ministry of the

Attorney General. No details have been provided as to the circumstances under which the documents came into the possession of the person who delivered them to the Ministry of the Attorney General.

I am very concerned about this, and obviously we are making inquiries. We too wish to get to the bottom of where these documents came from and how they came to be delivered to the Ministry of the Attorney General. We are quite concerned about this and are looking into it.

1440

Ms Castrilli: I'd like to point out to the Attorney General that Thomas Marshall, the general counsel for the Attorney General, wrote to Helpline executives two days ago, that is, prior to the receipt of the documents, and I quote from the memo where he describes the security: "Files are accessible only by Brian Lee," the memo says. "They are under lock and key and locked in two basement offices. The door to the basement is also accessible only by Brian Lee. The front door and the other doors referred to are equipped with deadbolts. Only Brian Lee has access to the basement area."

We know that this sensitive information was found in the garbage in August or September of this year, despite this very intensive security that seems to be in place. The concerns of the Helpline organization—and you can understand that these are people who have already been victimized in their youth, and this kind of action continues to victimize them—are with privacy, with the right to fair trial, with the notion that very sensitive information—to them—has been made available.

Can you tell us what specific action you're taking to investigate this incident? Do you plan, for instance, to call in the police?

Hon Mr Harnick: This matter came to the attention of the ministry yesterday. There is a court order that indicates where and how this material was to be stored. It was stored according to that court order. As the member notes, it was stored under lock and key. There was perimeter and internal security available on the premises.

We believe that these documents have emanated from a source outside of this storage facility. I have indicated I am looking into that. We don't believe this material came from the storage facility and we are making inquiries to find out where it came from. If I am able to obtain that information, I will certainly advise the member.

The Speaker: New question, third party.

Mrs Marion Boyd (London Centre): My question is also for the Attorney General. I think all of us are aware of how serious this matter is. I'm rather puzzled by the statement by the Attorney General that he thinks these documents emanated from somewhere else. That is very serious, because the whole purpose of the document retrieval and storage was to ensure that it was the only set of documents and the only set of documents that was used. So I think that, in and of itself, ought to be of great concern to the minister.

I would say to the minister that for the past five years, there have been strong efforts to try to move forward

with the investigation and the prosecution of individuals who were accused by former residents of St John's, and that that process is ongoing. I wonder if the minister is able to assure us today that there is no jeopardy to the ongoing prosecutions, to the ongoing police investigation, and indeed to the whole effort to try to resolve, through a non-court process, the pain and the damages that have been caused by the abuse that occurred at St John's.

Hon Mr Harnick: I certainly share the member's concern and I hope very much that none of those discussions or potential settlements outside of the court process will be jeopardized. I truly hope that is the case.

All I know at this particular time is that the kind of material we have been shown is not material that we had in storage in this facility. That is what I know at this time. We are investigating and making inquiries as to where this material emanated from. As I've indicated, if I'm able to obtain an answer, I shall advise the member.

Mrs Boyd: Have the police been called in to investigate in this case? It seems to me that this is potentially a very serious matter. There have been ongoing problems in the security of documents in this case, the Grandview case, the St Joseph's case and, indeed, in a lot of the other matters which have arisen since these began to be investigated some five years ago.

Have the police been called in, in order to investigate how these documents could have been found; where, if they didn't come from the storage area, they could have been kept, since these were supposed to be the only documents that pertained to these particular wards; and whether indeed the minister will undertake to report back to this House when the findings of that police investigation are completed.

Hon Mr Harnick: There are investigations going on to determine where this material came from and if indeed any of this material could have come from the storage facility. Mr Marshall, who is dealing with this matter and is most familiar with it, does not believe this material came from that storage facility. As I am advised in the course of this investigation he is undertaking as to where this material came from, I shall keep the members informed.

HIGHWAY SAFETY

Mrs Barbara Fisher (Bruce): My question is to the Minister of Transportation. My riding of Bruce is in the snowbelt area, and many of my constituents are concerned about what they believe to be the reductions in the level of snowplowing that will be done to our provincial highways this winter. Winter driving is a necessity for most people in my riding and they are understandably concerned about their safety. Can you assure them the budget reductions will not jeopardize their safety?

Hon Al Palladini (Minister of Transportation): I would like to thank my colleague for her question and certainly assure her and her constituents, indeed all Ontarians, that what we have done is we have maximized our dollars by using private sector management strategies, new equipment and modern weather forecasting. We are using that base of knowledge and expertise to put people and equipment on the roads when they are needed. Quite

simply, when it's snowing, our people and equipment will be on the roads. They won't be there when it's not snowing.

Mrs Fisher: Mr Minister, you have often spoken of the ministry's budget of \$130 million for winter maintenance. As we all know, winters vary greatly in severity. Are you confident that if this is a severe winter, \$130 million will be sufficient to provide all the necessary plowing needed?

Hon Mr Palladini: The Ministry of Transportation is aware and does acknowledge that any winter can be a lot worse, or better. No one can predict. That is the very reason we have implemented these efficiencies.

In winter maintenance, like any other business, you have your fixed costs and your variable costs. People in business know that you always try to keep your fixed costs down so you can stay in business in good and bad times. In winter maintenance, we have minimized the fixed costs of things like patrolling, but we have not capped the costs of the extra people and equipment we will bring when they are needed.

We have the flexibility to react to severe weather conditions, and reducing fixed costs helps ensure that we will put the money to use when we do need it. So if it's a bad winter, we're still going to be spending the money.

ROAD MAINTENANCE

Mr Mike Colle (Oakwood): A question for the Minister of Transportation—I hope you got the right note on this one, Al—and that is, in the auditor's report yesterday it was noted that 60% of Ontario's roads are substandard. That is, over 30,000 kilometres of roads in this province are substandard. I'm wondering, Mr Minister, how could you in October have cut \$5 million from that part of the ministry whose job it was to ensure that the standards are being met?

Hon Al Palladini (Minister of Transportation): I would like to thank the honourable member for the question, because certainly I do agree that our highways are a major part of our economic structure, and without good highways, number one, it's not good for safety, and certainly it's not going to be good for business.

As far as the infrastructure being the way it is, I can certainly assure you that it was your government and the previous government that helped to make it what it is today. So we are going to be committing that we'll take a look at what has to be done in order to make sure that the province of Ontario will have the safest roads not only for safety but for economic growth as well.

1450

Mr Colle: Since you've taken over as the minister, you were basically doing I don't know what when \$5 million or \$6 million was cut from snowplowing, sanding and salting. What did you say in cabinet when they recommended that cut, what did you say in cabinet when the emergency patrol was cut and what did you say in cabinet when \$5 million was taken out of ensuring that the roads met certain standards?

Was it your job in cabinet just to be a cheerleader and a yes man or did you ever stand up and say, "My roads have to be maintained and they have to be safe"? Did

you ever stand up and say no or were you always a yes man trying to beat the other ministers to see who could cut the most? Did you ever stand up to protect the safety of the roads, to stop the cuts? Did you ever say, "Not this time"?

Hon Mr Palladini: These are savings that we are talking about, and we are not cutting the standards that this government is committed to. Now, we are going to be utilizing that money when we need to utilize the money. I wish that the honourable member, once and for all, would understand how a business does run. Maybe he's never been in business and therefore he doesn't know how a business runs. This government is going to do things for all Ontarians in a most cost-efficient way when we will be there to deliver the services.

COMPREHENSIVE HEALTH ORGANIZATIONS

Mr Howard Hampton (Rainy River): My question is for the Minister of Health. The Minister of Health has told the Legislature on a number of occasions that he is interested in health care restructuring. As he knows, there were a number of health organizations around the province that were actively working on restructuring at the local level.

In my part of the province one of those bodies was called Unicare, which was a comprehensive health organization that had devised a plan to pull together a number of disparate bodies to save some money and also to do some efficient long-term health care planning and health care delivery.

They've been waiting to hear from the Minister of Health now for six months as to whether or not he is going to approve the project and work with them or, if he's not willing to approve the project and work with them, what alternatives he has in mind. Can the minister tell us what his intentions are with respect to the Unicare Comprehensive Health Organization project?

Hon Jim Wilson (Minister of Health): I appreciate the question from the member for Rainy River and I wish that I could give him a definite answer today, but I can't. I'd be happy to, in a confidential way, share some of the mail I've been getting from his constituents, which are both pro and con CHO for Rainy River and for your constituents.

Also, I apologize, but you're somewhat caught up in our review, our reform of primary care and the delivery of primary care services in this province, which is a commitment we've made with the Ontario Hospital Association, the Ontario Medical Association, community health centres, health service organizations and many other players in the system right now.

We're all sitting down and trying to best figure out the most cost-effective way of delivering, and in some cases redesigning, primary health care services. Unfortunately, and I do apologize, a final decision on your particular project is caught up in that process. I will try and make a determination with respect to the Unicare CHO as soon as I can.

Mr Hampton: I appreciate the information. This project is important though, not just for the residents in

my constituency, but for people all across northern Ontario. The member for Algoma has a similar CHO project in his constituency, and a number of communities across northern Ontario which have difficulty recruiting physicians, which have difficulty in terms of organizing their budgets so that they can meet the needs of the community, want to know from the Minister of Health what some of the possible directions may be. The fact of the matter is, all of these communities have great difficulty in terms of recruiting physicians. Knowing what kind of model they're going to operate under may help them—in fact, I would argue, will help them—in that kind of work.

Many of these communities see opportunities to save money within the health care system but they haven't gotten the signal from the Minister of Health. They're ready to move ahead. They want to provide guidance and leadership for a whole host of other communities in northern Ontario. So for those communities that are having these difficulties recruiting physicians, planning their health care budgets for the future, what does the Minister of Health have to say?

Hon Mr Wilson: I have had the final report since July, and I admit that, from the people in your area of the province. I know it has been endorsed by 12 or 13 different municipalities and it has the support of the local people.

But let me remind you, in all fairness, this issue of a CHO goes back to 1989, so I'm probably going to take a shorter period of time giving you a determination on this than either of the two previous governments. There was a feasibility study done in 1989, in my understanding. If it was so easy to move this way with respect to primary care, whether it's your area of the province or other areas of the province, then I would have been able to make that determination upon coming to office.

I will undertake to the honourable member to get back to you just as soon as I can. We are caught up in discussions right now with the Ontario Medical Association about physician resource questions, physician distribution questions. We have 76 areas of the province that are in fairly desperate need of more physician resources. Those discussions are ongoing. I hope they'll conclude within the next few weeks, and we'll know better where we stand with respect to physicians in the province, primary care providers and community health organizations.

NORTHERN ONTARIO HERITAGE FUND CORP

Mrs Helen Johns (Huron): My question is for the Minister of Northern Development and Mines. Having worked in the financial area, I was interested in the Provincial Auditor's report that was just released. This report indicated that they had several problems with the Northern Ontario Heritage Fund Corp. Among these were concerns about severe losses of funding incurred through bad investments to companies and the collapse even after being the recipient of taxpayer dollars. What are you, as minister, going to do to stop this from happening again?

Hon Chris Hodgson (Minister of Natural Resources, Northern Development and Mines): We agree with the auditor's report. It was disturbing to see the abuses that have taken place in the past. I just want to assure the member that we are in the process of reorienting the

heritage fund and making sure that we take into account the auditor's recommendations as well as, as we promised during the election, refocusing its mandate to stop abuses in the corporate welfare scheme.

Mrs Johns: Where is the new heritage fund heading?

Hon Mr Hodgson: As I mentioned, we're reviewing the fund in its entirety and we will take into account the auditor's recommendations. The new heritage fund will be for the benefit of all northern Ontarians rather than a select few corporations that are favourites of the government of that day.

AGRICULTURAL LAND

Mr James J. Bradley (St Catharines): I have a question for the Minister of Agriculture, Food and Rural Affairs—a non-partisan question. A lot of the questions are partisan in this House. It's non-partisan because I'm looking for his assistance because I know he knows the farming community and the business well.

There is a proposal coming to you from the regional municipality of Niagara which would allow a very lenient severance policy in the Niagara region, which would mean you would have a lot more urban dwellers out in the rural area with all of the complaints that you know, as a farmer, arise from that and, second, who would be demanding urban services out into the rural area. This very lenient policy was initiated because they are concerned about their future, and I know you have met with them and you are concerned about their future.

1500

Minister, would you undertake to not automatically approve this very lenient severance policy but rather to look at a number of other options that might be available, perhaps with some help from the members for St Catharines-Brock, St Catharines, Lincoln and so on?

Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs): I wish to thank the member for St Catharines for his question and his concern regarding agriculture, particularly in the tender fruit area. It's an area that's very fragile and one where we're very much oriented towards working with the regional municipality, with the elected people in order to establish exactly what is best for that community.

Remember, those taxpayers and farmers have rights as well, and they should very much have some input into what is in the future for them. I have just received a draft copy of that report. It will be studied and it will be discussed; it's certainly not automatic.

MOTIONS

COMMITTEE SITTINGS

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): I move that, notwithstanding any standing order or special order of the House, in addition to its regular meeting times, the standing committee on general government be authorized to meet to consider Bill 8, An Act to repeal job quotas and to restore merit-based employment practices in Ontario, in the evening on Thursday, November 16 and 23; and to meet from 10 am to 10 pm on Friday, November 17 and from 10 am to 6 pm on Friday, November 24; and to meet from 10 am to 6 pm on Monday, November

27, 1995, and that consideration of Bill 8 be concluded no later than 6 pm on Monday, November 27, 1995.

The Speaker (Hon Allan K. McLean): Is it the pleasure of the House that the motion carry? Carried.

PETITIONS

HOSPITAL RESTRUCTURING

Mr Monte Kwinter (Wilson Heights): I have a petition to the Legislative Assembly of Ontario:

"Whereas the report of the Metropolitan Toronto District Health Council hospital restructuring committee has recommended that North York Branson Hospital merge with York-Finch Hospital;

"Whereas this recommendation will remove emergency and inpatient services currently provided by North York Branson Hospital, which will seriously jeopardize medical care and the quality of health for the growing population which the hospital serves, many being elderly people who in numerous cases require treatment for life-threatening medical conditions;

"We petition the Legislative Assembly of Ontario to reject the recommendations contained within the report of the Metropolitan Toronto District Health Council restructuring committee as it pertains to North York Branson Hospital so that it retains, at minimum, emergency and inpatient services."

It has been signed by many constituents, and I have affixed my signature as well.

NON-PROFIT HOUSING

Mr Tony Martin (Sault Ste Marie): I have a petition here for the Premier, Mike Harris, and the Minister of Community and Social Services, Mr Tsubouchi, and his government from a whole host of constituents in Sault Ste Marie who are very concerned about the situation surrounding the issue of non-profit housing. It says:

"Mike Harris would like to do away with public housing. This action would take our homes away from us. Where does he expect us to live?

"We, the undersigned, oppose this action."

I certainly agree with them and oppose it as well and I've signed my signature to it.

COMMUNITY-BASED JUSTICE OPTIONS

Mr Leo Jordan (Lanark-Renfrew): To the Legislative Assembly of Ontario:

"Whereas during the 1970s the government of the day developed measures that curbed the growth of government by involving local communities in the provision of legal services; the criminal justice field began to recognize the benefits of community-based justice options; privatization was considered more cost-effective while strengthening government ministries through community participation in the justice system;

"Since this time, non-profit agencies across Ontario have developed effective programs and present a strong local face to the justice system while supporting partnerships with an ever-widening community base. Community programs have proven to be effective in comparison to directly operated government services. Community-based options reduce the cost of incarceration while promoting public safety.

"Whereas community-based justice programs such as community service orders, diversion alternative measures, bail supervision etc have proven value; the screening and supervision of accused and offenders within well-defined programs contribute to public safety; for over 20 years community-based options have made a positive contribution to the welfare of community in Ontario;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We believe these programs must not be viewed as dispensable. As with many recent cuts, short-term fiscal expediency holds no long-term value. Creditable links with the community and quality programs for the citizens of Ontario must be maintained."

HEALTH CARE FUNDING

Mr Bruce Crozier (Essex South): I have Rose Kulimouski's petition, signed by over 4,000 Ontarians, addressed to the Legislative Assembly of Ontario.

"Whereas the Common Sense Revolution states that a Conservative government 'will not cut health care'; and

"Whereas the Conservative government has already cut \$132 million from the budget of the Ministry of Health when, on July 21, 1995, the Finance minister announced a series of spending cuts designed to reduce the deficit; and

"Whereas there have been suggestions that hospitals will face a reduction in funding from this government when it cuts its support to all transfer partners in the next years;

"Therefore, we, the undersigned, call on the Minister of Health to restore the \$132 million that was cut on July 21, 1995, in order to maintain the promise made by this government to protect health care funding and not cut health care, to reaffirm this government's commitment to no new user fees, and to ensure that the health care budget will stand at \$17.4 billion for every day of the life of this government."

I affix my signature to this petition.

LABOUR LEGISLATION

Mr Bud Wildman (Algoma): I have a petition to the Legislative Assembly of Ontario. It reads as follows:

"Whereas the Ministry of Labour has introduced Bill 7 to drastically amend the Labour Relations Act and the Employment Standards Act and other labour legislation which were brought forward by successive Progressive Conservative, Liberal and New Democratic Party governments in recognition of the legitimate rights of employees in Ontario;

"Whereas the implementation of Bill 7 will undermine the fundamental, democratic rights of employees to organize and to have access to collective bargaining;

"Whereas employers have raised concerns about how Bill 7 will result in an increased number of strikes; and

"Whereas the Minister of Labour is proceeding with Bill 7 without consultation with employee groups and without conducting public hearings;

"We, the undersigned, petition the Legislative Assembly of Ontario to urge the Minister of Labour to withdraw Bill 7."

This was dated November 2 and is signed by a number of residents of Hornepayne, Ontario, and I support their sentiments.

SCHOOL BUS SAFETY

Mr John C. Cleary (Cornwall): I have a petition to the Parliament of Ontario.

"Whereas drivers who ignore school bus stop signals endanger the lives of children and are difficult to prosecute,

"We, the undersigned, petition the Parliament of Ontario as follows:

"The car model, colour and licence plate number of the vehicle should be sufficient to impose a fine, without school bus drivers or others being forced to also identify the driver in court."

I have also signed that petition, and it has 770 names.

PUBLIC LIBRARIES

Mr John Gerretsen (Kingston and The Islands): I have a petition that's signed by 1,200 individuals and it's addressed to the Legislature of Ontario.

"Whereas the Premier of Ontario, the Minister of Citizenship, Culture and Recreation, as well as the Minister of Municipal Affairs and Housing, have made statements that suggest the provincial government intends to repeal the Public Libraries Act in order to impose fees for the use of public libraries, to eliminate provincial conditional grants to public libraries and to eradicate public libraries boards; and

"Whereas at an information forum on library user fees and partnerships held by the Friends of the Kingston Public Library on Wednesday, October 18, 1995, the crowd of over 100 people were greatly concerned about the shortsighted thinking of this government; and

"Whereas the majority of participants felt that taxation was the fairest means of charging Ontarians for library services, and that an annual user fee or fees for services will stop those in the community who need access to library programs and services—most preschool and school-age children, job seekers and those needing information to retrain for a changing working world; and

"Whereas the suggestion that the loss of the provincial, conditional grant to public libraries may lead some libraries to endorse or enlist corporate sponsorship for programs or services may remove the library from being politically neutral and having impartial standards of free public library service; and

"Whereas the eradication of library boards as the governing body of public libraries will compromise the intellectual freedom public library boards have always preserved and eliminate citizen involvement in setting policies at the community level; and

"Whereas public libraries make too important a contribution to the ongoing economic strength and quality of life in Ontario for these principles to be cast aside;

"We, the undersigned, petition the Legislature of Ontario as follows:

"To oppose the repeal of the Public Libraries Act, the imposition of fees for the use of public libraries, the elimination of provincial, conditional grants to public libraries, the eradication of library boards and to support

free public libraries as the foundation of a literate, informed and prosperous population."

I've affixed my signature to the petition.

1510

CHILD CARE

Mr Tony Ruprecht (Parkdale): I have a petition concerning affordable and quality child care.

"Whereas the Tory government has decided to replace our current child care system with one that lacks compassion and common sense and is fraught with many dangerous consequences; and

"Whereas the concept of affordable, accessible and quality child care is a basic, important fundamental right for many members of our community who are either unemployed and enrolled in a training program or are working single parents or where both parents are working; and

"Whereas if our present provincial government is sincere in getting people back to work, they should recognize the value of the child care component of the Jobs Ontario program and acknowledge the validity of the wage subsidy to the child care workers;

"We, the undersigned residents, business owners and child care providers of our Parkdale and High Park communities, urge the Progressive Conservative government of Ontario to immediately suspend their plans to implement cuts to our present child care programs across our province and restore funding to their previous levels."

I've affixed my signature to this petition.

HIGHWAY SAFETY

Mr Rick Bartolucci (Sudbury): I have a petition to the Legislative Assembly of Ontario.

"Whereas the Ministry of Transportation is intent on reducing northern winter road maintenance services; and

"Whereas such downgrading places the lives of northern residents at undue and unnecessary risk;

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow these reductions in service and to guarantee that winter roads across the northern regions of the province receive the necessary maintenance to ensure the safe passage of drivers."

Mr Michael Gravelle (Port Arthur): The people of northern Ontario continue to express their outrage over the winter road maintenance cuts.

"Whereas the Ministry of Transportation is intent on reducing northern winter road maintenance services; and

"Whereas such downgrading places the lives of northern residents at undue and unnecessary risk;

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow these reductions in service and to guarantee that winter roads across the northern regions of the province receive the necessary maintenance to ensure the safe passage of drivers."

I'm proud to sign my signature.

Mr Frank Miclash (Kenora): I too have a petition from a good number of small communities in my riding: Grassy Narrows, Dog Creek, Rat Portage and others. It says:

"To the Legislative Assembly of Ontario:

"Whereas the Ministry of Transportation is intent on reducing northern winter road maintenance services; and

"Whereas such downgrading places the lives of northern residents at undue and unnecessary risk;

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow these reductions in service and to guarantee that winter roads across the northern regions of the province receive the necessary maintenance to ensure the safe passage of drivers."

I too have attached my name to that petition.

Mr David Ramsay (Timiskaming): I have a petition here today.

"Whereas the Ministry of Transportation is intent on reducing northern winter road maintenance services; and

"Whereas such downgrading places the lives of northern residents at undue and unnecessary risk;

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow these reductions in service and to guarantee that winter roads across the northern regions of the province receive the necessary maintenance to ensure safe passage of drivers."

I too will affix my signature.

INTRODUCTION OF BILLS

ADVOCACY, CONSENT AND SUBSTITUTE DECISIONS STATUTE LAW AMENDMENT ACT, 1995 LOI DE 1995 MODIFIANT DES LOIS EN CE QUI CONCERNE L'INTERVENTION, LE CONSENTEMENT ET LA PRISE DE DÉCISIONS AU NOM D'AUTRUI

Mr Harnick moved first reading of the following bill:

Bill 19, An Act to repeal the Advocacy Act, 1992, revise the Consent to Treatment Act, 1992, amend the Substitute Decisions Act, 1992 and amend other acts in respect of related matters / Loi abrogeant la Loi de 1992 sur l'intervention, révisant la Loi de 1992 sur le consentement au traitement, modifiant la Loi de 1992 sur la prise de décisions au nom d'autrui et modifiant d'autres lois en ce qui concerne des questions connexes.

The Speaker (Hon Allan K. McLean): Is it the pleasure of the House the motion carry? Carried.

Hon Charles Harnick (Attorney General, minister responsible for native affairs): The purpose of the bill I am introducing today is to repeal the Advocacy Act, amend the Substitute Decisions Act and repeal the Consent to Treatment Act and replace it with the Health Care Consent Act.

This will reduce government interference in the private affairs of individuals and ensure that decision-making is in the hands of individuals and their families.

ORDERS OF THE DAY

WORKERS' COMPENSATION AND OCCUPATIONAL HEALTH AND SAFETY AMENDMENT ACT, 1995

LOI DE 1995 MODIFIANT LA LOI SUR LES ACCIDENTS DU TRAVAIL ET LA LOI SUR LA SANTÉ ET LA SÉCURITÉ AU TRAVAIL

Resuming the adjourned debate on the motion for second reading of Bill 15, An Act to amend the Workers'

Compensation Act and the Occupational Health and Safety Act / *Projet de loi 15, Loi modifiant la Loi sur les accidents du travail et la Loi sur la santé et la sécurité au travail.*

Mr David Christopherson (Hamilton Centre): I appreciate the opportunity to debate and comment on this second anti-worker bill that the government has introduced.

I'd like to begin my comments by reading from yesterday's Hansard the quotes from the minister, where she says: "Bill 15 has two fundamental objectives. The first is to change the governance structure." It then goes on to say, "The second objective is to put the system on a sound financial footing."

I noted with interest when I was reading through the minister's comments in detail that she goes on shortly after to say:

"Many people ask: How did we ever get into such a mess in the first place? Why were steps not taken to deal with these problems before they reached the crisis proportions that we have today? Unfortunately, a large part of the blame for the lack of progress in tackling the WCB's many problems can be laid at the feet of the board's present governance structure. To put it simply, the governance system is broke."

I've been trying to think of parliamentary language I can use to describe what I think about the accuracy of what is contained here. It's simply not the case. To suggest that somehow decades and decades of failing to ensure that employers who have a responsibility to pay the WCB premiums have done so is somehow the responsibility of a board that was in place for a mere few months is to stretch the truth, to say the least.

1520

The fact of the matter is that the current structure, the one this government is taking such great delight in decimating, is indeed a bipartite structure, and that simply says that the board is 50% made up of worker representatives and 50% made up of employer representatives. That makes a great deal of sense, because we know that when labour and business work together in common goals, they can achieve great things. They can increase productivity, they can increase profits, they can increase job security, they can increase wages, and also they can deal with other problems and issues that are of equal importance to working people in this province, such as the WCB.

But this government can't handle the idea that workers would have an equal say in matters that affect their lives, matters that they rightfully have a say in.

We're not talking about the day-to-day management of a business. We're talking about the operation of a public entity that was created in 1914 to ensure that workers who were hurt on the job through no fault of their own wouldn't lose wages as a result of being off work, and in return, employers, nor anyone else for that matter, could not be sued by that worker or any of their representatives. It was a tradeoff.

It makes a great deal of sense that workers would then, in the running of that system, have an equal say. At least it makes a great deal of sense to everyone except this

hard-line, ideologically driven, right-wing, Republican-style party that now forms the government in this province, because surely there's no relationship between this party and anything that Tories in the past believed in. And if you didn't believe in where the Tories were in the past, there's no bloody way you're going to understand the dynamics of a modern-day workplace and indeed modern-day workplace democracy, which is a phrase you continue to try to abuse by spinning it in your Orwellian way to mean something other than what you're really doing with it, and this is a prime example.

We know that the Workplace Health and Safety Agency had exactly the same fundamental structure, a recognition that if you're going to talk about preventing accidents in the workplace, there's certainly nobody more interested or who has a greater investment in succeeding in preventing workplace injuries than workers. After the WCB was deemed not to have paid enough attention to accident prevention, this agency was created to take that mandate out of the WCB and have it stand alone, and when it stood alone, there was an agency with its own board to run it. Using a modern-day, real-world application of workplace democracy, there was a 50% worker representation and a 50% employer representation.

We know—the evidence is there and I haven't heard anybody in the government dispute it—that accidents are down as a result of the work of that agency. They provided that operation, that part of the WCB mandate that was formerly with the WCB, cheaper than the WCB did, while lowering accidents. We also know that they trained more managers and more workers than ever before—record levels.

By any objective analysis, that sounds like a success story: business and labour working together on an issue that benefits workers and benefits business. They're running an efficient operation, they're succeeding in their mandate beyond any attainment by the previous governance structure, and they're training people, which is the key to preventing accidents in the workplace, training more people than ever before.

One of the first things this government did was kill it. They just killed it outright. There can be no other explanation for that than, ideologically, from that far-right-wing, la-la land of Newt Gingrich and other Republican-type thinkers, that a balanced 50-50 board can't exist, can't exist in their world.

They have to get rid of it because workers are out of their place. Workers ought to know their place in a Mike Harris Ontario, just like the poor ought to know their place in a Mike Harris Ontario, women ought to know their place in a Mike Harris Ontario. So workers were out of their place because they were 50% of the decision-making: absolutely unacceptable to this government. They killed it and that's one of the key goals of Bill 15, which this government takes such great pride in.

That's what this means when we talk about governance structure being changed. It means pulling back on opportunity for workers to have a say in an issue that affects their very lives and putting workers in their place, because that's the way this government runs.

Over the past week and a half, in light of the government's refusal to let anyone except their friends have

comment on their anti-worker Bill 7, I've been holding hearings and allowing people who have been affected by this draconian legislation some opportunity to have their say in public and have it put on the record and to allow this government to be held accountable. I have yet to be in a community where WCB changes and cuts have not been raised and recognized as a fundamental part of this government's anti-worker attitude.

While this legislation today may be the tee-up, to use language the government understands—this tees up what they're planning to do next spring—we ought not be fooled by thinking governance structure is something that working people ought not to care about, that it's a technical thing that has to do with the daily operation of government and it's deep in the bowels of the outfit, that it doesn't mean anything. It means a lot. What it really means is workplace democracy. That's workplace democracy, giving workers an opportunity to have a say, a fair say, dare I say an equal say, in matters that affect their very lives.

On both those fronts this government wiped out that democracy, just like you wiped out democracy when you refused to let anyone comment on your anti-worker Bill 7—nobody, not one word, not one minute of anybody affected by that draconian legislation. You eliminated democracy for all intents and purposes in this place just like you're snuffing out democracy in terms of workplace democracy as it relates to governance issues, which means decision-making and, as you see it, it means workers not being in their proper place, and now that you've got a majority government, you're going to fix that one but good, and that's what this is all about.

I would also point out that the Liberals think this is a keen idea too. So let's start keeping these things in mind when we're talking about who's representing workers and who really is prepared to stand up and say this is not fair for working people. Let's not forget that the Liberals and the Tories are in bed on this one. They both can't handle the idea that this kind of democracy should exist.

Mr John Gerretsen (Kingston and The Islands): Speak for yourself.

Interjections.

Mr Christopherson: Well, we woke them up, woke up the Liberals. Whenever they're held to account on their real record they tend to wake up. The rest of the time they just go back into a coma.

They were also in favour of killing the occupational health and safety issue. So again, to working people in Ontario, take a real good look and listen carefully to who is prepared to stand where when it counts, when it really, really counts.

I want to move now to the issue of the finances which, as the minister has indicated, is her second objective, putting it on a sound financial footing and again attempted to lay—I find I'm so disappointed because coming into this Legislature I had the greatest respect for the Minister of Labour as an individual. We worked together on a number of things and I found her to be a person of very high integrity.

But there have been so many things, particularly the way Bill 7 was put through, and then when I see things

like this that really, really concern me—that may not matter to the minister but it happens to be the truth. When I see that the attempt here is to say that a large part of the blame for the lack of progress in tackling the WCB's many problems can be laid at the feet of the board's present governance, they were only there for a few months. That is so patently untrue. Okay. Got away with that one.

1530

Mr David Tilson (Dufferin-Peel): Nobody's listening.

Mr Christopherson: See, that's the point. See, the honourable member from the government ranks, one of the wannabe ministers, said, "Nobody's listening," and that's what you're counting on, isn't it? You're counting on that, just like you did with Bill 7.

Interjections.

Mr Christopherson: Well, we woke them all up. That's good, because they ought to be paying attention when they're going after workers this way.

This government did what they did on Bill 7 and jammed it through because they thought nobody was looking. They thought nobody cared. They felt they could go ahead and jam anything they wanted through. I want to say that they're going to find out you can't do that to working people and expect to get away with it. You just watch what's going to happen.

Mr Marcel Beaubien (Lambton): What are we going to see?

Mr Christopherson: You just go on back to sleep and I'll just talk here and you'll wake up in due course, I can assure you.

Here we have the minister saying that somehow years and years and years of the unfunded liability increasing is somehow the fault of the new board, and therefore that's the best cheap cover they could come up with for killing the governance. It just doesn't hold. It's not true. It's absurd to suggest such a thing. I really am disappointed that they would attempt, because nobody's going to believe it.

What's the next piece of the magic little world that the government's trying to create? They're talking about this great crisis that exists. Everything is a crisis. Nothing is just a problem or a serious problem or a priority problem. There's no ranking; everything jumps to crisis.

We know, because the record is there to be seen, how this government views what they tell the people of Ontario when it comes to a crisis, because we've got the Minister of Education on tape talking about having to create—and I'm paraphrasing—a false crisis to justify the kinds of actions they've already decided they want to take and, I would add, for their own pure, hard, right-wing ideological reasons. We know.

I heard somebody suggest earlier on that that minister ought to have been fired because he told a cabinet secret. I think there's merit in that because obviously every minister's been told, "However you position things, make sure that it looks like a crisis and therefore the draconian nature of what we're doing will seem like the only real, responsible course."

Of course, as we all know, when it comes to finances, what's really driving all this is the 30% tax cut for their wealthy friends that's going to cost this province up to \$5 billion that they have to borrow. They don't have enough money to pay for disabled workers injured at the workplace, but they will find enough money to make sure their wealthy friends get a 30% tax cut. They think people aren't going to see through it. They think people aren't paying attention. Let me assure you, in terms of what I'm hearing and seeing when I'm out around the province talking to people, they're listening, they're watching and they will react.

We have the issue of the government trying to create a crisis. Again, all I want to try and do is deal with the facts. Let's take a look at what the facts are with regard to their phoney crisis. First of all, they talk a lot about the good old days. Remember the good days? That was when they had the multi-stakeholder board, which was before real worker democracy was brought in. That was the good old days and that's what they want to go back to.

Funny thing about the good old days though, when you look at the finances, when you get past the front of a crisis and you look at the reality. My, my, my, look at this: In 1985, there was a 31.8% funding ratio and then, in 1994, we have 37.4%. It's up. It means that there's been an improvement in the financial status of the WCB. So under the one, which is the good old days for Tories, it wasn't as good as it was just last year.

What else do the facts tell us? The facts tell us that in 1994 there was an operating surplus, and currently their quarterly reports are showing that they're also running an operating surplus again in 1995. That sounds kind of strange for something that's supposed to be a crisis. Bear in mind, we are not arguing here that there isn't a problem. What we are arguing is that there is no phoney crisis that justifies going after workers and slashing benefits that they're entitled to. That's what we object to, and we will continue to object to that.

What else? Well, there was a proposal put before the board, the FIP, the financial improvement package. That package would have done a couple of things. First of all, it would have saved the WCB \$400 million annually. So a plan was brought in by the current board, the one that you're abolishing, where they worked together, worked with the management team at WCB, because they realized that action needed to be taken, the problem needed to be addressed—the problem, not the crisis—and then came forward with a proposal that would have the effect of not only saving the \$400 million annually, but by 2014 would have eliminated the unfunded liability.

It seems to us that would be a plan, you would think, that would receive unanimous support. Unfortunately, the proposal was brought forward in the latter part of the mandate of our government and I suspect some people saw that there may be changes in the wind and therefore it didn't go through.

I'm not casting aspersions on the employers' side; I don't know the individuals. But I do think what's interesting is that it was the worker representatives who were prepared to accept among themselves, unanimously, as I

understand it, this proposal. This proposal gave a plan that would have eliminated the unfunded liability, provided \$400 million a year in annual savings, and in effect dealt with the issue that this government says can only be addressed by going after workers.

So the facts do not support either the premise or the action of this government. It's all a cover and a front to go after worker benefits, because that's how they're going to achieve their fiscal targets. That's how they're going to achieve their primary target, which is that 30% tax cut which their very wealthy friends will benefit from a lot more than working people will. That's the game plan as we see it.

There were still, however, other issues to be dealt with within the WCB, very complex. No one, I think, questions the complexity of the WCB: the variables, the calculations, the actuarial charts, all of the things that come into play, as well as the reality of modern-day workplaces, be it in an office or in a store or in a factory, a shop of some sort, or out on the road, all the various places where people work. It's very, very complex.

So in addition to the financial improvement package which would have dealt with the immediate funding issues, we said, "Let's put together a royal commission that would properly and adequately and thoroughly look at this most complex issue and provide a series of recommendations that would address many of the outstanding issues that are there as well as some of the more modern-day pressing issues, RSI and a number of other things that really haven't been factored in in the past in as big a way as they need to in modern times."

1540

Contrary to popular positioning of saying royal commissions are a waste of time or it's just a way of not addressing a problem or other sorts of things, the reality in the history of our province, in the history of our nation, is that some of the most defining issues and defining blueprints of what it is to be a proud Ontarian or a proud Canadian have come from royal commissions.

And so we said: "This is important enough. Workers' issues are important enough to us that they deserve a royal commission to be looked at properly so that the benefits that workers were guaranteed in the bargain of 1914 can be kept."

There were three very distinguished and honourable people who were appointed to that—one from labour, one from business and another from the academic/economics world—and they conducted extensive public hearings across the province, up to and until the new government.

We know how much this government dislikes and cannot stand the idea of public hearings on things that they've already made their mind up on. They don't even want to suffer people who are going to say something they don't agree with if they've already decided. We know that's what happened with Bill 7. You'll never be able to deny it. That's a stain on your record that will stay there all throughout history.

So the record is there of how you refused to allow people to have input. The royal commission was right out there in public view, dealing with all the issues, and it

was going to offer up perhaps a game plan that's different from the one you've already decided you're going to follow: the game plan that has all of your fiscal targets being met on the backs of injured workers. That game plan would be shown for what it is if this was allowed to continue.

So what do they do? They're very good at one thing. They're good at killing things. They know how to kill things real quick, make the decision, send out the news release, talk about being responsible and being the grown-ups in this situation and doing the right thing, all under the guise of their crisis. And the reality is, every time they've done that, somebody in this province has lost rights that they've either had for decades or new rights that they'd finally been able to achieve in the last few years. It happened again today with your legislation. It's a negative government. All you do is cut, cut, cut; kill, kill, kill. You don't create anything. You don't offer a vision. You don't do anything except cut and kill, and that's what they did with the royal commission. Gone.

So what did they replace it with? Well, let's remember how this government likes to do business. Remember Bill 7? No public hearings. Jam the legislation through the House, even though they were in such chaos that at three points they were voting against their own amendments. That's the kind of ridiculous, disgusting procedure that was followed here. But they feel they got away with it, so onward they go. That's the way they like to do business. So let's look at what they did with the royal commission.

They killed it. They killed the royal commission, took control of that process, which was in the hands of three public figures of great respectability, took that control away from them, gave it to one of their own, the junior minister from Burlington, and then he went underground. He went underground; hasn't been heard from since.

Interjection.

Mr Christopherson: My colleague from Welland-Thorold says, "He's hiding out." Well, given what he's likely to come up with, I suspect that's a good idea. He's on the lam. But he went underground. Gone. And he took the public's right to have a say in this with him, and down he went into the ground.

Who he's talking to, we don't know. What sort of things are they looking at? We don't know. What are the various options that are available to the government? We don't know. What is the background information? We don't know. Nobody knows, because this government is governing the way it likes: in secret, with total control.

So that's what's going on with the work of the royal commission, what was the work of the royal commission; now it's one of their ministers, and off it's gone to have more of their secret meetings, as they did with Bill 7, choosing and picking who to hear from and not giving the public an opportunity to benefit, because in the 1990s the public doesn't accept that things are just done. Even if they disagree or totally agree, they like to hear the debate. People in Ontario today like to know what the options are, and that's the exact opposite of how this government deems it has a right to rule its fiefdom,

which we know as Ontario and it calls its own. That's what they did with the royal commission.

Let's talk a little bit about the unfunded liability, just a little bit before I leave all of the finances entirely, because this is where the government likes to go on this one. They go straight to the bottom line, blow it up, put issues around it that aren't necessarily always the facts—in fact, in many cases they aren't—and then throw it out there, spin it around, and if it takes hold, then they can continue to do what they're really doing.

Interjections.

Mr Christopherson: My colleagues are saying, "The big lie." Sometimes you have to wonder if that's not what's at play, because in so many cases, time after time—I mean, you talked about employment equity, that it was a quota law. It wasn't.

Mr Tilson: Sure it was.

Mr Christopherson: No. See, there you go, "Sure it was," because if you lose that one you've got nothing.

If they lose the crisis issue, they lose the argument, so they refuse to let go of the crisis, whatever that is, and in this case it's the unfunded liability. Well, let's talk about that. What does that mean? First of all, that refers to dollars that workers are entitled to who have already been deemed to have been entitled to benefits, and that's a projection of the cost of those benefits during the time that they're expected to receive them. That's what that is.

But what is it not? It's not money that was borrowed and therefore is a debt. It's not a debt in the sense that when you borrow you have interest payments in addition. This is not that, as much as the government wants people to believe that. This is money that, quite frankly, should have been put into the WCB as part of the bargain of 1914 because it represents benefits that workers are already entitled to. That's what that represents.

Another fact: The fact of the matter is the WCB has never borrowed money. They pay their bills with the revenue that comes in. They have an investment fund of \$6 billion, and quite frankly, if the bargain had been properly kept throughout the years, then this government wouldn't have the ability to spin-doctor the issue so that somehow it can justify going after workers to pay for money that workers are already entitled to. That's the greatest shame and that's the greatest sham of all of this. This is money that workers are already entitled to as a result of being injured on the job through no fault of their own and a part of the bargain and the pact that was made with workers in 1914. That's the reality of where we really are.

Now let's take a look at what might be in the offing, because Bill 15 is the first step, and we've talked about the two pieces that the minister says are important. I believe that on both those issues, if it's the facts alone that speak, the government's case doesn't hold, in terms of the structural change to the board, in terms of real workplace democracy and also the whole question of the finances: who's at fault, who's owed what and what ought to be done about it, what's necessary. I believe that if the facts alone were to determine this, then their arguments and their case would not hold at all.

I'd now like to move to the work, and it's related. In fact, it's a shame they aren't being done together, this bill and the one that will flow from the underground work of Minister Jackson. But let's remember that the government needs to put its hacks and pals and friends on the WCB so it's guaranteed a majority to carry through whatever dictates come out of the Premier's office that everybody else is expected to kowtow to, including the WCB. That's really what the political agenda here is, as opposed to the social policy issue, and we ought not lose sight of that. That's why this bill had to come in now rather than wait until Minister Jackson's report is brought forward to the House.

1550

Let's take a look at the issues that are linked to this, the unspoken issues. We have the 5% cut to disabled workers. I have raised time and time again and will continue to do so the absolute hypocrisy of this government to run on a platform that says it will not hurt the disabled as a result of the cuts that it will make if the people of Ontario give it power. Yet one of the first things they announce is, disabled workers are going to lose 5%.

What I fail to understand, Mr Speaker, and if you can help me I'd appreciate it—figuratively speaking. Here we are, "We won't hurt disabled people." Okay, fair enough. "But we're going to cut disabled workers." So somehow disabled workers are not the same as disabled people. Those are the facts. You're going after disabled workers. You said you wouldn't hurt the disabled, and I haven't heard what the difference is between the two. That's the first thing you did.

What else is in the offing? Well, you know, worker, because employers haven't paid the full amount that they needed to to pay for the benefits of the deal of 1914, the tradeoff—because employers haven't done that, because successive governments haven't forced them to do that, you, worker, are going to have to take a cut because we want this unfunded liability number brought down.

So, a little pat on the head, you'd better understand. You're not a disabled person. You don't qualify as person in this province because you're a worker, so you're at least a second-class citizen, and with this government, perhaps third or fourth, and it's your fault that somebody else didn't do what they were supposed to do. Therefore, we're going to correct it by taking away benefits you're entitled to. That's what is coming up in the spring. That's the kind of work that was stolen from the royal commission, given to Minister Jackson, and then went underground. They're talking about that now as we speak—don't know with whom exactly—but that's what's going on.

What else? Three-day waiting period. Talk about a fundamental violation of the agreement in 1914 where workers gave up the right to sue anyone in order to be guaranteed that their wages would be covered so that they could pay their rent or mortgage, put food on the table, clothes on the backs of their kids, if they were hurt in a situation that was no fault of their own. That's what that deal was. We cannot lose sight of 1914 because that's when the original deal was cut, and that's the deal that's

being violated so blatantly and so terribly by this government. We can't afford to lose sight of that.

Now they're saying, "Yes, you were supposed to be covered from the first minute, but because we got this great spin story going on, we're going to look at three days where you get nothing." Just like that, three days where you're not covered. I suppose the argument from the government is that since all workers are fraudulent, or will commit fraud if given a chance, and since they're all faking all their injuries in work, we've got to find a punishment that goes after them. That's the mindset that's over there. That's a mindset that says: "If you're a worker, then you must be capable and desirous of finding a way to beat the system. All of you."

I wouldn't stand here and suggest that all workers are angels. I used to work in a factory, punched a clock. Working people, contrary to the belief of this government, are people just like anyone else, and among them are people who will beat the system. There are people who will commit fraud. There are also business people who will commit fraud and there are bankers who commit fraud, but I wouldn't suggest for a minute it's all of them by any stretch of the imagination. In fact I happen to believe the vast majority do not.

But I'm prepared to say that about workers also. The vast majority are honest, decent, hardworking people who are doing the best they can to manage in very difficult times with issues swirling around them that quite frankly nobody is fully explaining adequately. Lord knows, this government doesn't want to take the time to explain things, as we saw with Bill 7.

But the premise of this government's action on the three-day waiting period and around their fraud squad in initiatives there, it's all to leave the impression in the mind of the public—

Hon Elizabeth Witmer (Minister of Labour): On a point of order, Mr Speaker: I would just like to correct the information that is being disseminated. When we brought in our anti-fraud measures, they dealt not only with workers but also with employers and also with suppliers.

Mr Peter Kormos (Welland-Thorold): That's not a point of order.

Hon Mrs Witmer: It is a point of order.

Mr Bud Wildman (Algoma): Mr Speaker, could you rule on this, please, on the point of order?

The Deputy Speaker (Mr Bert Johnson): I'm sorry, member for Algoma, I don't know why—

Mr Wildman: Could you please rule on whether or not that was indeed a point of order?

The Deputy Speaker: I don't know why you're standing up.

Mr Wildman: I'm standing on a point of order.

The Deputy Speaker: You can't stand under a point of order. You must stand on your own.

Mr Wildman: Can a member correct the record of another member or not?

The Deputy Speaker: I'm ruling that it's not a point of order. The member from Hamilton.

Mr Christopherson: I want to thank the minister for giving me an opportunity to have a couple of drinks of water. Beyond that, I don't know what else was accomplished.

Hon Mrs Witmer: The truth.

Mr Christopherson: No, I'm sorry, Minister. It's a further indication that you don't like to hear things that are contrary to your own beliefs. You can handle all kinds of debate unless it starts to peel away like an onion what's really going on. You can't handle that. That's why, Minister, you wouldn't have hearings on Bill 7, because you know that we could have blown your arguments out of the water.

Interjection.

Mr Christopherson: So they want me to come back to Bill 15. Well, I told you before, you're not going to be let off the hook on Bill 7, ever, and the history will reflect it, I guarantee you, as one of the darkest days of your term.

To pick up where I was in terms of explaining what I believe the members of this government see in their mind's eye when they think worker, and when they talk about fraud and when they talk about a three-day delay, why else would you bring in a three-day delay, an absolute violation of the pact of 1914 that said, "You as a worker will not lose a benefit, will not lose wages if you're injured on the job, but lawfully and totally you give up the right to sue anyone"? That has been violated here by suggesting that the first three days don't count, and therefore it's to suggest that all workers are not legitimate when they claim for workplace injury.

What other explanation can there be? There isn't a fiscal one. The workers have done nothing. It's not money they haven't paid, so why would they be expected to pay the unfunded liability on their backs? It doesn't fit. Why else would you do things like the three days if you didn't honestly believe that about working people? I think it's consistent with the way you view unions, because you view them the same way. You can't possibly get into, as a government totally—all of you together—you can't seem to get into where the real world of working people is and the things that matter.

1600

So we see the pattern of what this government's planning to do in the future. They're going to pop out of their little hole with their proposals and probably jam them through in some fashion, although I've got to believe they're going to be a little more sensitive in the future, just because of the politics of it. But having stood in this very spot as Bill 7, the disgrace of that process, went down, I am now of a mind that anything is possible. We'll just have to wait and see what happens.

But we know that they're going to look at disentitlements, they're going to look at narrowing the gap so more workers can't claim. Where they go after that, nobody seems to know, because virtually all of the social structures in this province have been attacked, and in many cases mortally decimated, by your cuts elsewhere, because contrary to what you believe, the world is not just one series of bottom lines with people trying to beat the government for cash.

There are those of us who believe that there is a great deal more to what government does and how it works on behalf of all the people, not just the very wealthy ones who don't need the programs and supports of government because they've got enough money to buy anything they need. That's fine, I'm not saying they shouldn't have it, but I'm saying that they ought not to get more when others are getting less who don't have that opportunity, and that's what you're doing. That's the overall picture and this is just another piece of it.

You're going to cut 5% from the benefits of disabled workers. Remember, earlier I said that the whole purpose of the cuts elsewhere in the government service was to pay for their 30% tax cut, which we all know the wealthy will benefit from much more than working people. So they're taking away from the poor, they're taking away from women, they're taking away from workers, and they're giving it to those who already have. That's what's obscene. Not that people already have, but that they're taking from those who don't have to give those who do more. That's what's obscene about all this.

So a 5% cut to disabled workers, and guess what? They're going to give back 5% to business. Hard to believe, but that's the pattern. They just take the template and move it from issue to issue. Do you remember they said they don't like redistribution of income? This is the most massive redistribution of income this province has ever seen.

The problem is that you forgot to bring in Robin Hood. You brought in Mike Harris instead, and Mike Harris has got it backwards.

Applause.

Mr Christopherson: Yes, you're applauding. That's it, applaud. It's good to take away from the poor and give it to the rich. This makes a lot of sense. We're going to take away from disabled workers and give back to business. That's fair? By some definition, that's fair, because that's what's happening.

What else has happened with this government? We know the kind of cuts to people on social assistance, the very poor and vulnerable—almost 22% cut from the most vulnerable in our society—because this government's been able to blame them: "It's your fault you're poor. It's your fault we've got a deficit. Therefore, we'll go after you."

What have they also done since they've been in government? A small matter that my colleague the member for Beaches-Woodbine mentioned yesterday, as I was reading her Hansard, and I think it needs to be raised again: They gave back, opened up the wallets of the people because it's the people's money, the people's treasury, opened up the wallets and gave \$50 back to every corporation in terms of a filing fee that we brought in. Yes, there have to be cuts, but one tries to do them in a fair way. That's what's missing here. It's not that there are changes and not that there are cuts; it's the absolute, blatant unfairness.

They took that \$50 and gave it back as one of their early symbolic messages to their friends: "Don't worry, pals, we'll take care of you. We promised we'd take care

of you." Then every time people begin to protest about it, it's always full-time union organizers who are doing it and full-time protesters, completely missing the fact that it happens to be the very people you're stomping on who are standing up and saying, "Stop doing this." No, they give that 50 bucks, which is tax-deductible, back to their friends.

That's an example, because sometimes billions get lost. People will understand that they gave back to their friends, and to anyone who's in business, \$50. Not that we shouldn't help small business, but where's the fairness? Where's the fairness?

I also want to talk about how all of this fits with an anti-worker agenda that is also killing the very jobs this government promised or committed that it would or could create. In their cuts, in the massive cutting they did in every community across Ontario, there were important investments being made in each community; hundreds, thousands, tens of thousands of jobs that were already set to go, killed—killed because it doesn't fit their idea of what ought to happen.

But I would suggest—and I guess I become more and more cynical with this government as time goes on—many of these are good-paying jobs, they're decent-paying jobs. This doesn't fit their idea of where working people ought to be either. They want McJobs for everybody. They want everybody to be barely getting by so that as they try to become more competitive—which is not a bad goal in and of itself; in fact it happens to be a very important one—but their way of making us competitive is to try to have the working people of Ontario live at a standard of living and receive wages and benefits that are comparable with Third World nations, which is an insult to the people of Ontario. We can do a lot better than that. We can compete at the high end of things. We've got the education system, the health system, the infrastructure.

The United States would kill for the kind of infrastructure that we have, because they follow the very agenda you're on. You're about to make the first down payment on that with your announcements on transfers as you drop things down to the municipalities and they can't do the things that allow our infrastructure to be strong so that we can compete; so that we can compete with high-paying, well-paying, challenging jobs where people feel good about themselves, they feel good about the company they work for, they want to help make better productivity because they're benefiting from it, they know they have something to contribute.

In other words, you build on the best things about the working people of Ontario. But if you don't happen to believe they're there, if you don't believe that working people are capable or should be seen in that way, you won't build that kind of Ontario. You'll follow that mean-spirited, hard-line agenda that says the only way to prosperity is a balanced budget tomorrow.

When we talk of dollars and who gets what, don't lose sight of the tax, because while all these cuts are going on, \$5 billion of that borrowed money is to give their very wealthy friends a huge tax cut. Instead of taking all the money that we can muster to deal with our debt and

deficit but do it in a way that doesn't decimate the things that make this a great place to live like you're doing—that doesn't have to happen.

If you didn't have that \$5-billion tax cut in there and you weren't trying to out-Ralph-Klein Ralph Klein and out-Manning and the same with Newt Gingrich, if you weren't in that kind of competition with who can jam it to the working people and who can get to that balanced budget first no matter what—because that's the goal—if that's not where you were, then you would take the time to build on what is great about this province. It's our people that are the foundation of this province.

1610

We refused when we were in government, and we refuse now, to believe that the only way you can achieve prosperity is to massively attack the benefits and rights and protection that working people have, that the most vulnerable in our society have because that's what you've done.

Interjections.

Mr Christopherson: You can heckle all you want from your government benches, but the facts are there. If you make \$150,000 a year in this province, two things happen: One is you're very fortunate, and that's fine. Secondly—

Interjections.

The Acting Speaker (Mr Gilles E. Morin): Order, please. Take your seat. If you want to address the House, the member for Algoma, I would ask you to do it from your seat.

Mr Wildman: Oh, I was just leaving, sir.

The Acting Speaker: Thank you.

Mr Christopherson: If we had a government that was prepared to recognize the benefits and the value working people can make, and we built on that, then there wouldn't be so much despair out there.

I don't know what the government members did during their constituency week. I've been travelling the province, talking to community leaders, talking to the people who have been affected by this agenda. There's a lot of pain out there; there's a lot of hurt; there's a lot of fear.

Interjection: It's on the benches of the third party.

Mr Christopherson: Well, I hope the microphone picked up that heckle because that's exactly my point, that you think this is all a big game. You think it's a big game and you're prepared to ignore when people rise up over what's going on because it's unfair and it's unjust and it's unnecessary, because you believe you have some kind of divine right by virtue of majority government to do whatever you damn well please. Well, it doesn't work that way in this province. Contrary to what the government would like, this is still a democracy where people are entitled to have their say, to have input into what's going on and to be listened to, and you won't do that.

To give you the benefit of the doubt, you don't seem to understand what you're doing to Ontario's society. You may think you're going after people who deserve to be got after, whether it's cheats, or fraud and people who refuse to work, or however you view things, and you

seem to think that everything you're doing is going to hit dead on that very small percentage of our population that lives that way or believes that. Most of us in this place don't live that way or believe it and most people in the province don't, but you've cast the net so wide, you've slashed so much, almost indiscriminately, that the decades of building Ontario for working people, for disabled workers, for the poor, for women who are faced with abuse—you should hear. That's what they didn't hear when they wouldn't go out on the road and listen. They should listen—

Laughter.

Mr Christopherson: Well, they laugh. They should listen to women who work in the community trying to support women who have to leave abusive situations who are now afraid to leave or are contemplating going back because the support network they have to have to break out of that kind of world—and that's got to be frightening—is gone.

Interjection.

Mr Christopherson: The member beside me from the government says, "What's this have to do with Bill 15?" I think it has everything to do with Bill 15 because it speaks to the vision, or lack of one, that this government has and the attitude this government has about working people and about those who are not wealthy. There are two categories: Those who are wealthy and their friends, and then there's the rest of us. But it hasn't worked that way in Ontario. We've made gains. We've made progressive gains that have made this the envy of the world. That didn't happen by accident. No one government did it. No one government can claim the credit for making this the envy of the world to live in. It was a process of gains and then listening to people and determining how we can make the next step, and sometimes it was quick and sometimes it was not as quick as it should have been, but it did indeed happen, and slowly but surely we built.

Even when the Tories had the 42 years of reign, which interestingly was longer than any of the Communist reigns in the Soviet bloc—I'm not making a comparison; merely the time comparison. They were in power that long: literal, absolute power. They didn't take this attitude over those years. During some of the terms they did under certain people, but by and large—

Interjections.

The Acting Speaker: Order. There are too many conversations going on. I can hardly hear the debate. The member for Lake Nipigon, I would suggest you take your seat. Also the member for Hamilton Mountain, please take your seat now. Take your seat, please.

Mr Pouliot: On a point of order, Mr Speaker—

The Acting Speaker: Take your seat, please.

Mr Pouliot: —I don't wish to usurp the member's time. I'm sitting there quietly.

The Acting Speaker: Take your seat. If you don't take your seat, I will ask you to leave. Please.

Mr Christopherson: By and large, the governments in this province have recognized the need to build and to make Ontario better. Nobody has governed the way you're attempting to.

Some of you may feel that's worthy of going in your lobby and applauding one another, but I can assure you that certainly for my party, but I think the majority of Ontarians, that's not the case. They're frightened. Even on the things you have a mandate to do, you're going too far, too fast. You're causing major disruptions. Not disruptions that don't matter; disruptions to an entire society, a society other places in the world literally die for.

You're doing it so indiscriminately, just slashing around, with no seeming appreciation of how everything is linked in Ontario and how all the structures you look at with such disdain mean something. The very institutions you put a bull's-eye on, yes, they have to be changed, and yes, we have to run them more efficiently, but you're not doing that. Before you've even had time as a government to truly understand—and I'm not suggesting that I fully understand it, but certainly I think I do more than some of you, only because I've been here for five years, and after you've been in power for that length of time, I think you would have that appreciation, but you can't have it now.

Even for those veteran members who are now in cabinet, you really have to be at that table for a fairly long period of time to truly understand. But you can't gain that experience overnight, so what do you do? Well, you move slowly; you listen to people; you fully comprehend what's going on.

Look at the one mistake that nearly put tens of thousands of disabled people—a regulation was passed. You've suggested it's a mistake. Fair enough. But even that should have been an alarm bell to what can happen if you don't fully understand what you're doing. Unfortunately, to be very blunt and very honest, a lot of what's going on is not that innocent.

You've come in with an agenda that you can only implement effectively if you divide the people of Ontario. If you divide employers and employees the way you've done over Bill 7, that unprecedented era of labour peace where we were finally seeing workplaces working together—gone. And all the labour turmoil in this province, in my opinion, has to be laid at your doorstep, because it wasn't there before you did what you did with Bill 7 and the way you did it. The idea that all you did was repeal Bill 40 is not true. It's much more than that and you gave no one a say. You did things in that bill you didn't talk about in the election and then you wouldn't let people comment on it.

1620

The 5% cut to disabled workers and the dismantling of true workplace democracy suggest to me that's there not a lot of innocence on the other side, but there does seem to be an awful lot of meanness on the other side, because you're prepared to do to our Ontario what you have to, to implement that agenda. You know what? I don't care what the agenda is if the means of doing it is what you're doing to Ontario and dismantling all that's important about this province and all the love and compassion that helped build this province. You're dismantling it piece by piece by piece.

Then they wonder, why are there protests everywhere they go? Why is the Premier being hounded? Why is all

of this happening? It's happening because you're governing in a way that is totally unacceptable to people, but you refuse to see it. You've got excuses for everything and, unfortunately, by the time the people could really do something about it, you will have done so much damage. That's why there's such despair and why it's so hard to find hope in the province of Ontario, because working people in particular, if they don't have anything else, have to have hope. You're killing that.

The proof, in closing my comments, is in what you're doing with Bill 7. The proof is in what you're doing with Bill 15. Unfortunately, the proof will continue to show itself as this mean-spirited, divisive agenda of yours continues to divide this great province.

The Acting Speaker: Questions or comments?

Hon Mrs Witmer: It's unfortunate the member opposite was not here yesterday and instead was on a leadership tour around the province, because we made it quite clear yesterday when we talked about Bill 15—I did personally—that what we were talking about is restoring hope and optimism to this province. We will improve Ontario's ability to attract new investment and desperately needed jobs by doing two things.

I read yesterday, and I'm going to just quote again, we are going to restore "the long-term financial viability of the...board" and we are going to make "the system serve the interest of workers and employers in a more efficient, caring and cost-effective manner." We know that if we establish that type of climate at the board, we are going to create more prosperity for all people in this province.

I would also suggest that it was Mr Rae's and the NDP's Bill 40 which destroyed democracy. You had no secret ballot vote for workers. You did not allow them full and complete disclosure on what union membership means. You did not allow them a cooling-off period to decide whether or not. We have restored democracy to the workplace for workers. We have given them a secret ballot vote. We have done what you did not do. We gave rights back to workers after you had taken the rights away.

Mr Mario Sergio (Yorkview): It was the appropriate time that I come in to respond for these couple of minutes. I would love to invite the minister and every member of this House to spend not a day, but one hour in my constituency office, to see the plight of those people who come and seek work.

Hon Mrs Witmer: We all have them and that's why we're trying to fix the system; that's why I used the "caring."

Mr Sergio: Mr Speaker, yes, I'm trying to address the remarks through the Chair, also to the minister—to see the plight of those people. Those are people not fully recovered, ready to go back into the workforce. Those are the kinds of people who, through no fault of their own, are in a particular situation where they cannot go back to work and they see that there is no work out there, that benefits have been cut off; they've been practically eliminated. This is the type of answer we get from the government side.

As it's proposed, this particular bill, it's putting those people in even a worse situation. I sincerely do hope that

we have time to bring this to the forefront, have input not only from members of the House but from the public as well. I hope the government will not ram it down the throat as it did with Bill 7 and that we have the possibility to do exactly that. For my people in my area, it is of major concern. This legislation, this bill, is a major concern for people in my community.

Hon Mrs Witmer: It is throughout the province.

Mr Sergio: I am glad to hear that, that this is a big problem throughout the province, but the problem is that it's not addressing the needs of the people who work throughout the province.

Mr Pouliot: I too listened and was moved, listened intently to the accurate remarks conveyed by the member for Hamilton Centre, and he so rightly, so to a T described to us, for our benefit, what is truly the Tory agenda.

It started with the poor, the less fortunate. Then they moved up the food line—the disabled, the women—and their appetite being insatiable, now the injured workers, people in the middle class who indeed pay their wages.

What we're faced with here is systematic and deliberate. It is nothing short of economic cleansing, and the word isn't too strong, to satisfy the appetite of people who have the ability to distance themselves from the field. With those people, the less fortunate say little. Those who don't have a voice say nothing at all. As you move up the food line, those who can voice a few words say little but they always pay, and they can take that to the bank.

It's obvious that the Premier's office has a stranglehold on caucus. They're like lemmings. A sorry lot they make, surrounded by 82 zealots who read the manifesto of the Common Sense Revolution, and they believe in it to the point where they'll go off the cliff. They will go off the cliff. They convey a sense of ridicule to what is a very, very serious matter, that of a human dimension through the accurate and true remarks conveyed by the member for Hamilton Centre.

Mr John R. Baird (Nepean): I wish to respond. Yesterday, in the same 90-minute time allotment, the member for Beaches-Woodbine mentioned my comments pertaining to the Provincial Auditor's report and she said that it was part of the big lie, that there was somehow a manufacturing of a crisis.

I look at the 1993 auditor's report, where he made a recommendation, "We recommended that a strategy to deal with the unfunded liability be developed and implemented as quickly and effectively as possible." Two years later, the unfunded liability has fallen from \$11.5 billion—that's a debt the people of Ontario owe—to \$11.4 billion. At that rate, it will take hundreds of years to get the problem at the WCB cleaned up.

So I commend this government for taking the action to deal with that problem and I most strenuously disagree with the member for Beaches-Woodbine, who used the first part of the third party's time in suggesting it's part of a big lie, because it's not.

The unfunded liability of \$11.5 billion in 1993 was addressed by Bill 165 and it fell to \$11.4 billion, but no

real action was taken by the previous government on this issue. We are taking action. It's part of a strategy to get the Ontario economy on track again. It's part of a strategy to create jobs in this province. It's part of a strategy to deal with our problems, and not just paint over them, to genuinely try to make an effort to improve the situation.

The fact is also that the WCB is losing hundreds of millions of dollars a year in operations and that it has not been able to put in place a strategy to deal with that particular crisis. That is what the Provincial Auditor said in his report. That's why this government is taking real action now. That's why this government was elected to bring about the real change that the people of Ontario so desperately wanted during the last election campaign.

The Acting Speaker: The member for Hamilton Centre, you have two minutes to reply.

1630

Mr Christopherson: In my two-minute reply, first of all I want to thank the member for Yorkview for his comments. I believe that his sense of things is shared by us and is exactly the one that is both accurate and the one that this government refuses to admit is the truth. I appreciate him taking the time to be here and to add his words to the debate.

My colleague the member for Lake Nipigon, I'm always at a loss for words when I respond to anything Gilles has said because it stands on its own. I mean that obviously in the most positive way, Gilles. I can't comment on how you went after them because I could never do it as well. I'm just very pleased that you were willing to be here and join in my part of this debate.

To the member for Nepean, I give you this, that unlike the Minister of Labour—who has left the chamber and that's too bad; it was nice that she was here through most of it, but she's left—I will at least give you that you attempted—although not very well, I might say—to deal with at least a factual exchange in debate on what you think is really happening. Unfortunately, your boss, the Minister of Labour, felt that the only thing she could do was to change to a different spin issue and talk about the voting issues, which, again, they've played all kinds of games with.

But I didn't hear the honourable minister attempt in any way to take on the argument or to deny the picture that I have painted on behalf of this caucus as to what this bill is about and what your agenda is about. All they ever do is respond with more spin, more rhetoric, more mantra, but they never deal with the facts, and when the facts are dealt with they will always lose.

The Deputy Speaker: Further debate.

Mr Wayne Wettlaufer (Kitchener): I am very pleased to have this opportunity to speak in support of Bill 15, An Act to amend the Workers' Compensation Act and the Occupational Health and Safety Act.

Reform of the WCB is absolutely essential. Speaking from my own experience as a businessman, speaking as a former employer, speaking as someone who has created jobs in a firm developed through my own initiative, speaking as someone who worked day and night for

years—and the honourable member for Lake Nipigon has said, "For profit." I ask you, is "profit" a dirty word?

Speaking as someone who worked day and night for years to generate enough business to have a little bit of a profit, to pay the weekly salaries of a staff, a staff with whom I shared a sense of commitment and with whom I shared a sense of family and, yes, a little bit of profit-sharing too—as a matter of fact, 10% of the profit that we generated in our firm went for profit-sharing—I think it's fair to say that I speak with some experience on this matter.

While on the subject of experience, I would like to point out that this government has within its ranks many experienced, successful small-business people, men and women with hundreds of years of combined business experience, men and women with real-life experience in generating business, men and women with real-life experience in creating jobs, with real-life experience in employing men and women and, in doing so, helping these men and women to support their families.

I am very proud of the men and women in this new government who have used their own initiative, who have used their own energies, who have used their own time and money to build businesses and create jobs. I am raising the experience factor because the time has now come to separate fact from fiction in this House.

It is time that the reality factor was brought forward to allow the people of Ontario an opportunity to see and learn which party in this House is speaking with the knowledge of experience, which party in this House, through the real-life experience of its members, has shown day in and day out over the years which party members are truly committed to the betterment of all segments of the population of this province.

It is time for the people of Ontario—

Mr Gerretsen: Are you talking about us, Wayne?

Mr Wettlaufer: Now the Liberals don't know which direction to go. I'm speaking about us, the government.

It is time for the people of Ontario to learn which members of this House are only committed to creating an illusion of concern, to creating an imaginary image of themselves in the media as defenders of the poor and disadvantaged. These illusionary defenders of the poor and downtrodden permitted the workers' compensation system of the province to deteriorate to the point that the employers who pay the premiums know that neither they nor the injured workers are treated fairly; the injured workers who come in to my office and complain that they're waiting for nine months, a year, five years, 10 years, for an appeal to be heard, that they are not treated fairly. The injured workers know the system doesn't treat them fairly, and even the WCB employees themselves know that the system doesn't treat the employers or the injured workers fairly. In short, the WCB isn't treating anyone fairly.

The members of the opposition, and in particular the members of the third party, have elevated their image-creating skills to the level of an art form. They are forced to pursue their pretence of concern because of the realities they created in this province when they were in

government. Let it not be forgotten that it was these two parties which raised taxes on the working men and women of this province 65 times in a decade—not 10, not 20, not 30 or 40 or 50, but 65 times in a decade. It's true. Over the past 10 years, when these two parties were in power, they raised taxes 65 times. On whose backs did these two parties raise these 65 taxes? The workers'. The 65 taxes were placed on the backs of the vast majority of hardworking men and women of the province. But they would like the Ontario taxpayer to forget this fact. The members of the third party, the previous government, would like the people of Ontario to forget that they ran the deficit of this province up by \$50 billion or more in five years.

Mr Howard Hampton (Rainy River): Ever hear of Brian Mulroney? What about your buddy who is struggling so hard to get jobs?

Mr Wettlaufer: That's federal. We're talking provincial. You're irrelevant. This \$50 billion that they ran up the debt brought the total accumulated debt of the province of Ontario to \$100 billion, a new record for a provincial government. Never before in the history of any province has a government been so successful in destroying the economic foundation of the province in such a short period of time, as was the previous government.

Regardless of how many times the third party would like to pretend otherwise, it is this massive debt, this massive \$100-billion economic millstone which has been hung around the economic neck of this province which continues to hurt people, which continues to hurt families, which continues to hurt children, which has jeopardized not just communities but the entire socioeconomic future of this province.

But today the members of the third party, the members of the previous government, want to create the illusion that their hands are clean. They want to create the illusion that they are innocent of the problems which have beset this province. They want to create the illusion that they had nothing to do with creating the massive money shortage this government has to face. They want to create the illusion that their multibillion-dollar job creation fiascos were not outright disasters. They want to create the illusion that they created a positive business environment in this province, despite the fact that over 60,000 businesses throughout the province emphatically disagree with them.

They want to create the illusion that the WCB needs only a little fine-tuning, when there are hundreds and thousands of injured workers waiting for months and years for benefits to which they are legally entitled. But during their administration, the WCB thought that it was more important to build a \$700-million building which was not necessary. A \$700-million building was more important during their administration than paying the workers the benefits to which they were legally entitled.

1640

They want to create the illusion that they are the protectors of the social safety net. They want to create the illusion that the health care system, the social service system, the care of the injured worker, the care for the

handicapped, the care for the disadvantaged and the care for the elderly were being protected by their government, but these are illusions.

Regardless of how hard the former government tries to hide the reality from the people of Ontario, the fact is that under what can only politely be referred to as the incompetent mismanagement of the province's purse-strings and the incompetent mismanagement of the WCB by the former government, these essential services face the very real possibility of being totally destroyed.

Although the members of the former government like to hoot and holler, or rather bray and bawl like buffoons, at every opportunity as they attempt to disrupt this government from taking the actions which must be taken to rebuild the economic foundation of this province, it must be pointed out to them that they are fooling very few taxpayers. They are fooling very few voters. Today they fool only a few with their sanctimonious screaming in this House. Today they represent only a few.

The third party has lost its credibility with a vast majority of people in this province. It may come as a surprise to the members of the third party to learn that they were devastated in the last election. The number of seats the third party has left in this House is the clearest of all possible messages the people of Ontario could send them. That message was, "Get out." The people of Ontario didn't believe them any more. The people of Ontario didn't trust them any more. The people of Ontario didn't want them running the government any more. The voters of Ontario made it perfectly clear that they'd had enough of their bungling of the province's economy. The voters of Ontario made it perfectly clear that they did not like being saddled with a \$100-billion debt. Even their historic—

Mr Hampton: On a point of order, Mr Speaker: Does this have anything to do with the bill which we are debating?

The Acting Speaker: The member for Kitchener, please proceed.

Mr Wettlaufer: Even their historic support base, the majority of union members, lost confidence in them as a government.

I do want to point out that the Kitchener riding is primarily a blue-collar, working-class riding with many unionized men and women. I met with hundreds of these fine people during the campaign. Many union members cast their vote for me. I am very proud to represent the people of the Kitchener riding: workers, both union and non-union workers. I am pointing this out because it is getting boring hearing the members of the third party pompously preach that they and they only are the protectors of the hardworking people of this province.

I am as interested in them, I am as concerned about them, and all the members of this government are as concerned about them as any of the third-party members. The men and women who form this new government are hardworking, honest, caring people who have as much concern and compassion as any government in the history of this province, but we have challenges, challenges heretofore unknown in Ontario.

The challenges the men and women of this government face are the most serious faced by any provincial government, and the immediate challenges facing the men and women of this new government are (a) to stop the horrendous damage the former government has inflicted upon the economic sector of this province, (b) to strive to maintain a social safety net which was being choked to death due to the sheer political ideology and the economic incompetence of the former government, and (c) to recreate a positive business environment throughout the province in order to attract new businesses and to allow existing businesses the opportunity to flourish in order that those businesses can create jobs. It is for these reasons that the Workers' Compensation Board must be reformed.

Imagine, if you can, the reality that the WCB has an unfunded liability of \$11.4 billion—an \$11.4-billion unfunded liability. This is approximately a 400% increase over the past 10 years, up from \$2.7 billion only 10 years ago. This is the largest unfunded liability of any WCB in the country, but the member for Hamilton Centre, who has chosen to leave the House, doesn't consider that this is a financial crisis.

Pray tell, what is a financial crisis? If an \$11.4-billion unfunded liability is not a crisis, what is? Let me repeat that: Ontario has the largest unfunded liability of any WCB in the country.

Along with this massive unfunded liability, Ontario has the second-highest premiums in the country—think about that for a second: the second-highest premiums in Canada—and yet, despite these high premiums, the WCB has been dipping into its long-term reserves over the past few years simply to pay its yearly operating expenses.

How much longer do the members of the opposition parties think that the WCB could have survived dipping into its long-term reserves? If for no other reason, the fact that the WCB is having to go into its long-term reserves to meet its operating expenses is as clear an indication as there can possibly be that the entire structure was being eaten away and could not have survived over the long term. Any first-year business student understands this.

This government made it perfectly clear during the election campaign that the WCB was going to be overhauled. In our CSR publication we stated, "The WCB will have to be revamped altogether to restore business confidence, protect workers and bring fiscal sanity to the board's operations." The key words are "revamped altogether." We did not say "tinkered with" or "fine-tuned"; we said "revamped altogether."

I can tell you that in order to revamp a system, you must start at the top, at the very top. The top of the WCB is its board of directors. That is where the changes have begun. The board is going to be revamped. The bipartite system did not work. Let me repeat that: The bipartite system did not work.

Let me give you an example: The inability of the previous bipartite board to make a decision on a financial improvement package, a financial package which would have resulted in a savings of \$400 million, is a clear indication that the system did not work. That's right. The

figure is \$400 million, not \$400,000, which in my mind would have been more than enough justification to throw out the bipartite system. But \$400 million in savings were lost due to the board's inability to make a decision.

Yet both members, the member for Windsor-Walkerville of the Liberal Party, one of the many leaders in waiting of that party, and the NDP member for Hamilton Centre, stated in their responses to the introduction of the bill that they want to keep the bipartite board structure. I guess the loss of a potential \$400 million in savings is okay with them. It's not a crisis to them, I guess. It may be okay with them, but it's not okay with me.

The member for Windsor-Walkerville complained that the new board doesn't provide equal representation from labour and management, and so did the member for Hamilton Centre. That's right, it doesn't. The new board will include other parties whose areas of expertise are also essential to the effective operations of the board. Medical professionals and insurance specialists will be added to the board.

This may not make a great deal of sense to the opposition, but if something doesn't work, the answer is not to blindly continue. You can't throw billions of additional funding at it to make it work better. You can't hope that the money is going to solve the problem. That's how we ended up with a \$100-billion provincial debt. But the member for Hamilton Centre, the NDP's Labour critic, thinks that's not a financial crisis. No, if there is a decision-making problem with the board of directors, you get rid of the board and replace it with one that will work. That is exactly what we've done, and are doing, under the reform bill.

1650

Deadlocks must be broken. The best way to ensure that deadlocks do not break the system is to expand the interest base of the decision-makers, and that is what the multi-stakeholder-structured board will do. Despite how the member for Windsor-Walkerville and the member for Hamilton Centre may like to rant and rave about this change in the board structure, the fact is that these changes are necessary and must be put into effect.

The member for Hamilton Centre stated that government does not want workers or employees to have any say, any influence—

Interjection.

Mr Wettlaufer: Well, he's confused. It's the workers and the employees of this province who brought this government into power. It is the workers and employees of the province who are the taxpaying backbone of the province, and it is this sector, above all sectors, that cast its votes for us. The member for Hamilton Centre and the entire NDP caucus might want to do a short memory search before they take off on their tangent of workers or employees not having any influence or decision-making. They had direct influence on June 8.

I can tell the NDP caucus that during the election I took the time to meet with a number of agencies, such as the Victorian Order of Nurses, and I learned how their government threatened to shut these agencies down if

they did not buckle under to the government's 80-20 rule. According to the representatives of this agency, that government forced the VON to unionize against its will, against the will of the nurses who provide the much-needed community services. In fact 23 agencies in the Kitchener area, representing hundreds of other volunteer-based agencies, such as the Red Cross, faced the same jackboot tactics of the previous government.

Mr Pouliot: Madam Speaker, on a point of order: With respect to the member, the term jackboot is offensive to members of the third party. It's excessive. There's no need. Would you kindly restore decorum and good manners in this House, please.

The Acting Speaker (Ms Marilyn Churley): I give the member for Kitchener this opportunity to apologize. The member has suggested that it's offensive.

Mr Wettlaufer: I do deeply apologize to the honourable member from Nipigon, who has repeatedly used that exact same phrase in this House over the first three months of the legislative sitting, and I looked straight at him when I used that phrase. So I ask him to apologize for having used it repeatedly for the last three months.

Mr Pouliot: Madam Speaker, I don't wish to prolong this. I respect the member's time, but there are limitations. What the member has done is committed an accident. I mean, he's gone beyond the threshold. You, Madam, who are highly educated, you whom I respect, along with other members of the House, have that capacity and the power to have him, not de-facto-like, but just issue a simple apology. It's not the end of the world. Members of our party feel rather vexed. Tactics such as goose-step and—

The Acting Speaker: Could the member for Lake Nipigon please take his seat. I would suggest that all members in the House be respectful of each other and listen to each other's speeches. You all have an opportunity to respond. I would say to the member for Kitchener again that a simple apology will suffice and I ask him to do that, please.

Mr Wettlaufer: I do apologize. But you don't have to believe me, Madam Speaker, when I say these things. You can just ask the workers and the employees of these agencies, all of whom were very, very thankful that the NDP was thrown out of power.

Let's eliminate this pretence right now that it is the NDP that is interested in what working men and women think, when the opinions of the men and women from community-based organizations such as the Victorian Order of Nurses and the Red Cross, to name a few, don't mean anything to the NDP. It makes no sense for the NDP to continue its charade of pretending to represent their views.

If you want to see who truly represents the views of the working men and women across this province, simply take the time to count the number of seats each party holds in this House. It's the working men and women of the province who put us here, and it is the working men and women who put the NDP and the Liberals there.

The bipartite board goes; the multi-stakeholder board replaces it. The Minister of Labour has pointed out a

number of other major areas of change that the WCB must undertake. In doing so, the minister brings forward terms which have not been heard in this House for many years.

"Financial accountability." Ah, music to my ears. Can you imagine the sheer audacity of a government that actually wants to have an agency financially accountable? Why, it's unheard of. Do you think this may start a new trend in government? I hope so. Had the term been introduced by the previous government, the province would not be facing a \$100-billion debt, and the member for Hamilton Centre thinks that's not a crisis. A \$100-billion debt not a crisis?

Financial accountability is one of the things I promised my constituents I would work for if they voted for me. Here I am, and here it comes. Four hundred million dollars in missed savings may be all right for the opposition parties, but make no mistake, it is not all right to the people of Kitchener, nor, I suspect, to anyone else in this province.

The first step to bringing financial accountability to any operation is to establish a financial strategy which it must follow. The minister has accomplished this basic step by requiring that the new board develop a five-year strategic plan, a statement of priorities and investment policies. That is just good old-fashioned planning. It is absolutely essential that this process be put in place and adhered to.

In order to provide flexibility, the minister is requesting an annual update of the strategic plan. Circumstances do change, and to ensure that the board's strategic plan meets with the changing times, this annual analysis of the five-year plan ensures that the board is consistently working with current information.

"The board must give the minister an annual statement setting out its proposed priorities for administering the act and regulations," and "The board must give the minister an annual statement of its investment policies and goals." Thank you, Minister. Thank you for introducing a professional financial system of accountability, which is not only common sense but which also makes good sense.

During the past few months, I have continually heard members of the opposition and the third party consistently attack this government by stating that they believe the people of Ontario did not think our party would go as far as it has or as fast as it has.

Well, I can tell you, Madam Speaker, that this is not the case. Throughout the election campaign, I delivered 23,000 copies—not 2,300 copies, 23,000 copies—of the Common Sense Revolution in my riding. To give you a comparison, I understand that those 23,000 copies exceeded the 20,000 copies of the red book that the federal Liberals distributed across the entire country during the federal campaign and that our 23,000 copies was more than 10 times the number of copies of the provincial red book that the Liberal candidate distributed in the Kitchener riding during the campaign.

I won my election, and this government won the provincial election, not because the people of Ontario did

not know we were going to do what we said we were going to do and as fast as we said we were going to do it. I won my seat and my colleagues won theirs because the people of Ontario did know the steps this party was going to take if given the opportunity to form the government, and reform of the Workers' Compensation Board, a quick reform, was one of those steps.

Unfortunately for the third party, the people of Ontario also knew what a second term by the NDP would mean to the province. That is why they were relegated to the position of the third party, and, unfortunately for the opposition party, the people of Ontario knew what the Liberal Party did not know, that is, what direction should be taken, what direction the government had to go to put this province back on a firm foundation. Make no mistake about it, the people of Ontario knew exactly what this government intended to do and will continue to do.

Reforms to the WCB are absolutely essential. The reforms outlined by the Minister of Labour, Mrs Witmer, are very positive steps which follow very solid organizational principles. I applaud her for her efforts. Thank you, Minister. I support the reforms outlined in Bill 15.

1700

The Acting Speaker: Questions or comments?

Mr Gerretsen: It's always very interesting to listen to the member from Kitchener because he certainly wakes up a lot of people, not only in this House but also, I'm sure, out there. There's a fallacy that has been talked about in this House on a number of different occasions, and that is how much of the public debt was racked up during exactly which administration, and I'd just like to correct that.

Interjection: Fifty million for the Conservatives.

Mr Gerretsen: No, no. There was \$50 million for the NDP over the last five years; everybody agrees with that. There was \$10 billion racked up during the Peterson years, from 1985 to 1990, and there was \$35 billion racked up by the Davis government and the governments before that.

Mr Wettlaufer: Over 40 years.

Interjections.

The Acting Speaker: Order, please. Order.

Mr Gerretsen: As a matter of fact, the last balanced budget we had in the province of Ontario was in 1989, when the budget came in at a \$90-million surplus. Now, that's number one.

Number two is this whole notion about what public consultation is. We've heard it in this House now on a number of different occasions, that the members of the government party somehow seem to leave the impression that just because there was an election on June 8, that gave them the right to change almost every law in the country and there has to be absolutely no public consultation about anything.

Whether we're talking about Bill 7, whether we're talking about the so-called quota law, whether we're talking about this bill, whether we're talking about any other piece of legislation, they somehow feel that everybody who voted for them voted for the Common Sense

Revolution, and that every last statement that's included in that document is somehow part of their mandate and that they can do so without any further public consultation, which is absolute nonsense. The people of Ontario will bear us out in that regard in due course.

Mr Hampton: I have just this to say about the member for Kitchener's speech. Sometimes people are entitled to their own version of history and sometimes people go too far. This member seems to want to forget that Canada came through a very difficult recession. He seems to want to forget that when his party was in government in Ottawa, they ran up a deficit of \$42 billion and the debt for all of Canada close to \$600 billion.

Now his government is employing some of those characters who helped manage Canada into the hole down here to work for this government, and he calls it fiscal responsibility. The member is welcome to his fantasy land, but that's what it is. The reality is that these changes to the Workers' Compensation Board have everything to do with right-wing Republican ideology that says, "Workers don't have a place."

The member should note that when the Conservative Party left power in this province in 1985, the unfunded liability at the board was in fact \$5.4 billion, and since that date the unfunded liability has roughly increased in line with inflation. So if you want to look at where the core of the unfunded liability comes from, look at what the Davis government left behind in 1985.

Finally, if you look over the last few years, new claim costs have actually decreased by 8%, overhead costs have decreased by 8%, the average target assessment rate has also been going down and the unfunded liability has been going down for the first time in the history of the board.

As I said, this member is welcome to his world of fantasy land, but if he looked at the facts at all, he'd see that his speech is totally out of touch.

Mr Steve Gilchrist (Scarborough East): I'd like to say just a couple of things in response to the comments from my colleague from Kitchener.

Unlike the other two parties that would have us believe history is something other than what my honourable colleague has recounted, the numbers certainly don't lie. It has nothing to do with inflation. If the third party now recognizes, albeit too late, that they inherited a problem back in 1990, now is not the time to take exception, when we have the courage of our convictions to set a bold new course to reform WCB so that small businessmen, such as my former colleagues in Canadian Tire, no longer are vexed with double-digit increases in their WCB premiums at the expense of jobs in this province.

In 1988, the net unfunded liability was \$7.3 billion. It's now \$11.4 billion. If you recognize that you inherited a problem, the time to have dealt with it, the time to bring in better management, was back in 1990, not to decry the steps we're taking today.

In 1985, there were 3,000 employees in WCB. They're processing 10% fewer claims today, but there are now 5,200 employees. It's scandalous mismanagement.

Quite frankly, that anyone would challenge the merits of going to a businesslike approach to doing business in

the WCB simply confirms what the people in this province saw going through the election campaign: that there was only one party that had the specific policies and program to turn this province around, to create jobs, to create an atmosphere promoting excellence and growth in this province. It was the PC Party, it was the Common Sense Revolution, and I applaud the comments and the suggestions of my colleague from Kitchener.

Mr Bruce Crozier (Essex South): I too would like to make a couple of comments, one or two of which I hope will set the record straight. First of all, my mother told me a long time ago that if you can't say anything good, then don't say anything at all. I'm going to say something good if you listen.

My friend from Kitchener has changed that a bit. He took 30 minutes and didn't say anything. That's basically what it was, because he didn't have anything good to say, and he had an opportunity to say some good things about his bill.

But to add to my colleague from Kingston and the Islands and the figures, right here in the Common Sense Revolution it says that you're going to go from a \$90-billion debt to a \$121-billion debt. That's three times what he accuses our party of having increased it by.

Do you know how he's going to do it? He's going to borrow the money for his tax cut. For every \$8 that they save in reduction in spending, and we all agree with reduction in spending, he's going to give \$5 back. The Premier has said the province is bankrupt. Did you ever give your shareholders a dividend in a Canadian Tire store if it was bankrupt? I doubt it.

You're going to borrow \$20 billion to give a tax cut and you're going to pay \$5 billion of interest and, lo and behold, they're going to borrow that too. I can't believe it.

The Acting Speaker: The member for Kitchener, you have two minutes to reply.

Mr Wettlaufer: I think I touched a nerve. As usual, the members from the Liberal Party aren't even fashioning any semblance of reality. They talk about borrowing. We're not borrowing to pay any kind of a tax. Anybody in business for the last five years knows that they have been taxed so heavily that they have had to cut jobs. All they are going to do is to create jobs with those tax rebates. They are out to lunch.

As a small business person who has had trouble struggling under the burdens that government has handed to us over the last 10 years, particularly the last five years, it has been very, very difficult. But it's very important to point out that the Liberal government, when it was in power from 1985 to 1990, had unprecedented income from the great economy that was going on all through the world. But what did they do? They increased spending 200% in that period of time such that we could not save money for a rainy day.

1710

The Acting Speaker: Further debate.

Mr Joseph Cordiano (Lawrence): I am happy to stand and make some comments about this bill, Bill 15.

I think that the minister has come far short. The government has failed to deal with the real problems at

the WCB in a comprehensive fashion. By introducing this bill, the government is attempting to quickly deal with the symbolic aspects of the reform that's necessary. I think some of it has to do with meeting the perception that change is actually happening and that fundamental change will occur in due time.

I think we would be entitled to hear from the government precisely what it is that it will do when it comes to dealing with the fundamental issues which are not dealt with by Bill 15. Yes, the government deals with what it says in its news release in bringing about a new governance for the WCB, the transitional plan, accountability, introducing value-for-money audits, fraud and revenue loss curtailment and dealing with the Workplace Health and Safety Agency.

Let me deal with some of these items, because I think it's important to understand where the government has failed to deal with the real issues that have to be dealt with in respect of benefit levels, assessment rates and the question of limited entitlements to workers.

I have been in this House for almost 11 years now as a member, and during the time that I've served my constituents, the Workers' Compensation Board has been nothing but a real nightmare. For most workers in this province, having to deal with the WCB has been a major disappointment in their lives. Many of them have been misdealt with by the entire bureaucracy and they, as a consequence, end up in a constituency office like mine.

I say to members of the House, it has become quite a burden on everyone to deal with the delays associated with a claim to the WCB, the lack of justice surrounding the fair and adequate compensation that needs to be covered for workers who are injured on the workplace. I tell you, there's a long history, and it goes back over successive governments.

Now this government has had an opportunity to deal with some real problems. The previous government thought it had its way of dealing with it; we disagreed. The royal commission that was appointed would have been a colossal waste of time and effort. We think it would have been a boondoggle for many, many years. The issues surrounding what needed to be done were on the table, clearly recognizable by most objective observers who saw the need for real change and reform. It is absolutely critical that in this province of ours we have a WCB that works on behalf of both injured workers and employers, and works to create a more positive economic climate. After all, that will help both workers and employers and investors.

Now, we come to Bill 15. Bill 15 fails to do what—
Interjection.

The Acting Speaker: The member for Etobicoke-Rexdale, your voice is very loud. Keep it down.

Mr Cordiano: —fails to do any of those things.

Let me deal with some of the aspects of Bill 15 that I think are inconsistent with the government of the day's pre-election promises.

For example, in the election campaign, Mike Harris said: "WCB premiums are just another tax on jobs. Our first step will be to cut them by 5% and provide relief to

our hard-pressed employers." Where is the 5% premium cut? Where is the cut to premiums? Where is that promise that was made during the election campaign?

This vision that was put forward by the Conservative government during the election campaign to help spur investment, to help bring about a better, more positive economic climate for investment, part of that was the 5% cut in premiums. Now, it's simply not anywhere: not in Bill 15, not in any of these statements that were made by the minister with respect to the WCB.

They tell us that the Minister without Portfolio—does he have a limousine, by the way? Yes, he does, I think. The minister is entitled to all the perks and privileges of a minister. He's working on it. Somewhere hidden in the bowels of the government bureaucracy, he's out there in some back room talking to a bunch of people about what it is that they really ought to do with the fundamental issues surrounding WCB.

I say to the government, that's not good enough. We don't call for a royal commission, but by the same token, it's not good enough to deal with these very, very important matters regarding the WCB behind closed doors. It's simply not good enough, and I would hope that the minister presents his ideas and his new reforms that will be brought about for change to this Legislature and its committees, and furthermore consults with the wide array of people from across the province.

I think it's absolutely essential that he do that, and going through this period of consultation, that he make provision for that consultation process to be as wide as possible and include as many people as possible. I think otherwise he will fail utterly to be inclusive and to make real progress for the economic changes that are ahead and that we must meet with respect to the future.

The other point I wanted to make was with respect to a statement that was released as part of the press release package announced by the minister, and this deals with accountability. There is a question and answer part of this release which goes something like this. The question: "Will the financial accountability requirements adversely affect injured workers?" and this is the answer: "No. The WCB will continue to judge each case on its individual merits."

Again, I go back to the commitments that were made during the election campaign by the Conservative Party, and one of the commitments says this, referring to benefit levels: "We will follow the lead of Manitoba and New Brunswick in reflecting income realities. We will reduce benefit levels from 90% to 85% of net salary."

That's a clear commitment that was made by this government to reduce the benefit levels of injured workers, when in fact in this statement the minister points out that benefits will not be adversely affected. So injured workers will not lose any benefits that they have already achieved.

Well, which one is it? Is it the commitment that was made during the election campaign that benefit levels will not be cut, or is it the commitment that is now being made by the minister in her press release that they'll continue to judge each case on its individual merits and

that benefits will not be cut? What is it that the government is precisely saying?

There's a huge inconsistency here, and I think we deserve an answer, a very clear answer, from the minister around benefit levels. I can tell you, Madam Speaker, that the injured workers of my riding are very interested in that answer, and the injured workers right across this province in each of the ridings that are represented here, particularly by the back bench of the Conservative Party, will want to know where you stand on that very basic, fundamental question.

Will their benefit levels be reduced, or is this the case, is this the new reality, as issued by the press release, that, no, benefits will not be reduced? Then I ask how it is that the government will exact greater efficiencies out of the WCB and at the same time meet the benefit level requirements of injured workers.

1720

I go on to deal with, in my remarks, the fact that Bill 15 again falls far short of what is needed in terms of fundamental reforms of the WCB. I think it's clear to us on this side of the House that this government is essentially moving quickly in a number of areas because it needs to make certain commitments good. But by doing so it is not making good even its own commitments that were made during the election campaign, failing to make those commitments, failing to meet the promises that were made during the election campaign, and I point out but two of those in this legislation that was brought forward.

I say to the members opposite who are part of the government, WCB is a real fundamental issue to the people of this province, both in economic terms and socially as well. We have a situation where there are many injured workers, some of whose benefits go back to the period before 1975, and they have depressed benefits. That is a matter that has to be dealt with in terms of the reassessment and in terms of the reforms that will be taking place with respect to benefit levels. There are inequities now with respect to those benefit levels, and I think that can be included in the reform package that should be brought forward.

We will be making a number of amendments, bringing forward those amendments for the government's consideration. I would hope that they would seriously consider some of those amendments, because I think they will improve the legislation and at the end of the day at least meet some of the requirements that are out there for the vast public that is affected by this, because everyone who is working today is affected by the Workers' Compensation Board. Everyone is seemingly covered by this.

It's a non-profit insurance plan which goes back to the beginning of the century. Others have covered the history of that, so I won't go into detail on that. But I think we have to remember that it is an agreement between workers and employers that the workers will be covered in lieu of lawsuits against employers, and as a result of that, there is a continuing requirement on the part of the government to recognize that we are dealing with an insurance plan that has to meet the needs of workers, that has to meet the needs of employers, and at the same time

bring forward the economic positive benefits of what can be described as a non-profit insurance plan. After all, that's what the province needs: a plan that is efficient, a plan that works for everyone.

With respect to the government's changes, the previous government talks about the equal representation on the Workers' Compensation Board of directors and points to that as the most democratic way of dealing with the problems. I happen to agree that there has to be equal representation from both employers and labour, but I would also add, and I think that the government is attempting to move in this direction, to have other parties that have an interest in the WCB board of directors and its goings-on, to have representation from other stakeholders. I understand that the government is addressing this in its statement, but I would add that we must get away from what amount to partisan appointments.

I'm not too impressed with the government's performance thus far in terms of making appointments. They have shown us to this day already, early on in their mandate, that they are willing to be partisan in their appointments and in fact to stand up and be defiant about those partisan appointments.

There are numerous examples that have taken place just recently, such as the Solicitor General's appointment of his former campaign director to an important board. If that's the kind of example we're going to see in the future, then the hope that we will have a non-partisan board that is made up of a multinumber of stakeholders—we will not see a non-partisan board in the future at the WCB and we'll get back to the days when the party in power would appoint its special appointees of the same political persuasion. I would hope that we're not moving in that direction and I urge the government to be very careful in its appointments and in fact allow all members of the House to review those appointments.

I would also hope that the government be more open, as I say, when the final reforms are being considered, that the government would allow a committee of the House or would allow the Legislature to be the final arbitrator with respect to having reviewed those reforms and making decisions around what changes are appropriate and what changes should be brought about.

If the government is truly intending to go on the path of non-partisan political appointments, then I think that it would be very appropriate for the government to open that up and to certainly make appointments that do not reek of the smell of partisanship as we've seen thus far.

I think it's entirely inappropriate that the government has made those kinds of appointments, and I think it needs to look very closely at the actions of various ministers with respect to those appointments. There is a whole slew of other appointments that we're beginning to see across all agencies, boards and commissions where this government is appointing its favourites. So I would hope that the government takes seriously the board of directors of the WCB because it has an important function that it carries out.

I would like to close my remarks by simply saying that reform of the WCB is of fundamental importance to the people of the province of Ontario. It is one of those

agencies that cannot be overlooked in terms of its relevance to the economy and must include all stakeholders, genuinely must include a wide range of people from across the province because it affects everyone right across the province.

I would ask and urge the government to take seriously its reform and make those more available and include members of this Legislature and include stakeholders from across the province in terms of its consultation process. We've not seen the proposals that will ultimately be included in those reforms. The government refuses to even talk about those reforms, saying that they'll be dealt with at some later date by the Minister without Portfolio.

That's not good enough, and I think this bill simply doesn't go far enough. Again, I think it's not appropriate to deal with this in a piecemeal fashion. It should be dealt with in its entirety and it should be dealt with all at once and, at the same time, give members of this House the opportunity to scrutinize precisely what those reforms are, not two or three days of committee hearings, not two or three weeks.

This is very important. Firstly, you must consult; secondly, it must be carefully scrutinized through the committees of this Legislature to make public those hearings. I think that's very critical in terms of the WCB.

The Acting Speaker: Questions or comments? Seeing none, further debate.

Mr Hampton: I want to make a few comments about this bill, and I first of all want to start off with talking about the direction which it comes from.

It's very clear that the bee that is really in the bonnet of the Conservative government here is that it doesn't believe that workers have legitimacy in the province, that workers should be permitted to participate in this kind of important body, the WCB. So where you used to have a bipartite board where workers had some representation and you knew that workers' views would be heard and listened to, now that will not exist.

Again, I think you don't have scratch the surface very far to discover that the reason the bipartite board has to be done away with is because that would give too much recognition to workers. It's the same with the health and safety agency. The health and safety agency was working very well. By all objective accounts, it was being very productive in terms of the training of workers and the training at job sites of people who were knowledgeable about worker health and safety. Accident rates were actually coming down, I think by every objective test that was being done. However, if you want to put workers in their place, you can't allow them to have equal representation on a board of directors or board of trustees of such an agency.

1730

So now we go to this multi-stakeholder board. I will say it here, and we'll experience this: We're really going back to the days when people appointed to the board were very much patronage appointments. The government somehow thinks they can pass this off as running a businesslike board. Let me tell you, when appointments to the board become patronage appointments, it becomes

very unbusinesslike. That was the kind of situation that got the Workers' Compensation Board into trouble in the first place, back in 1985, when the really dramatic increases in the unfunded liability occurred.

So now we're going backwards. We're going backwards from a representative system where workers actually have a voice at the board to a patronage system where people get appointed to the board as a reward or for their contributions to the Conservative Party. How anyone can try to pass that off as somehow moving towards businesslike principles or businesslike operation in my view totally defies definition.

I want to deal with this issue just for a bit longer. There was a very interesting article in the *Toronto Globe and Mail* on November 14. Anyone who reads the *Globe and Mail* knows that it is certainly not, by any means or any stretch of the imagination, a radical newspaper. In fact, I think we'd all agree it is on the right wing of the newspaper spectrum. But this is a piece dealing with the general direction the government has taken with respect to its labour policy, its policy on workers.

The title of the article—it's written by Mr Roy Adams, who's a professor of industrial relations at McMaster University—is, "Why Harris's Labour Policy is Bad for Ontario's Economy." I'd like to quote from that.

"Why is labour-management cooperation so important today? Over the past few decades, a new philosophy of production organization has been replacing one that has dominated through most of the 20th century.

"Under the old system, management, aided by experts, analysed and organized production and then specified tasks for employees to perform. Managers were the officers of an industrial army, and employees the private soldiers; their role was a passive one, to do as they were told.

"The new philosophy"—which is gaining more and more strength in our economy today—"begins with the proposition that people engaged in production on a daily basis learn a great deal about it, and if that learning can be tapped the result will be significant gains in productivity and quality. The new philosophy calls for employees to participate actively in analysing and designing production. Instead of order-givers and order-takers, managers and employees become partners in the pursuit of excellence. They enter into a 'productivity coalition.'

"For such coalitions to be firmly established, employees need a high degree of assurance that their interests will not be adversely affected by their involvement. And for that to happen in a sustained way, they need to have an independent representative they trust and with whom management consults continuously, to achieve a consensus on issues of mutual concern.

"A great deal of evidence accumulated over the past decade indicates that companies which take that approach are more competitive than those that cling to the old ways of doing things; and that over time, they drive out their command-and-obey rivals.

"The Harris government's policy does nothing to stimulate labour-management cooperation. Rather, it encourages management to do all it can to maintain

unilateral control and thus to suppress worker participation. It helps to perpetuate an obsolete system of production organization to the detriment not only of labour but also of business and, indeed, all of us. It is exactly the wrong stuff.

"If Premier Harris were seriously interested in the long-term prospects of the Ontario economy, he would set up a royal commission to investigate the emergence of this new system of production, with a view to recommending legislation that's appropriate to instituting it broadly and sustaining it.

"The issue needs a lot of public exposure and debate. Instead, we get the accelerated passage of a vengeful act, condemned by most labour relations experts, and without consultation. This episode is the antithesis of the good government on which the Ontario Tories once prided themselves."

I want to dwell on the comments there because I think they are particularly germane to this bill, as they were to Bill 7. The message, the very clear message this government is saying, is that in the whole area of labour relations, workers need to be put in their place. We need to go back to this old command-and-obey style of economy, this old command-and-obey style of operation. That's very clear now in the Labour Relations Act, it was very clear in the dismantling of the health and safety agency, and now it's becoming very clear with the Workers' Compensation Board.

The message of this government is that workers have no legitimacy in terms of cooperation, codetermination or the overall decision of policy in terms of health and safety or in terms of the Workers' Compensation Board. Again, it's a march back into the past. It's a march back into the Dark Ages, and yet this government that is so right-wing and so ideologically driven refuses to look at any of the objective evidence that is being offered by all kinds of people as to how wrong this direction is and how destructive it will be.

If workers and the Workers' Compensation Board are being told, "There is no room for you here; you don't have any representation here," don't be surprised if workers start to react in a negative way to this regime that you're trying to put in place, this command style of operation. Workers are the victims. They are the people who become injured when health and safety fails. If they have no role to play in the operation of a health and safety agency, if they are not to be represented, don't be surprised if they react in a negative way when you try to move back to this old, negative, command-and-obey style of operation. Let us remember again, these are the people who will be injured. These are the people who will be disabled. If they have no role in the operation of this board and the direction it takes and the policies that it sets, don't be surprised if they react in a negative way.

If you continue this snowball that you have started, don't be surprised if the productivity in our workplaces goes down. That is a clear message from labour relations experts; it's a clear message from industrial relations experts. Moving back to a command-and-obey style of operation in our workplaces is an inherently destructive process. I want to dwell on the attempt again to create a

big lie because, once again, that is very much what the government is engaged in. The government is trying to create, in almost every aspect of Ontario's economy, this horrible picture of the future. They're trying to create this image and say to people, "If we don't do these radical cuts, we're facing doomsday."

Let's look at some comparative figures. Canada's population is about 27 million people. Canada's deficit, even if you take the federal Liberal government's most advantageous—okay?—prescriptions and predictions, is about \$37 billion. Ontario's population is 11 million people, and even if you take this government's worst doomsday scenario, our deficit is only \$10 billion. Canada, by your scenario, is in much worse shape. Much worse shape. Mind you, none of you were saying that when you formed the government of Canada two short years ago. None of you were saying that. You were busy running up \$45-billion deficits a year and busy running up a \$600-billion debt for the country.

So when you come here and you try to create this scenario of doomsday you're trying to deny your own history, you're trying to deny what some of you who are now elected in this House left behind in Ottawa. So it's nonsense. It will take a while for some people to see through it, but all anybody has to do is to look at those comparative figures and they will see what a load of baloney you are trying to shove off on people.

1740

You want to pretend that negative impacts of free trade didn't happen. You want to pretend that didn't wipe out some jobs in Ontario in the period 1989, 1990, 1991 and 1992. You want to pretend that a worldwide recession didn't happen and you want to pretend that governments over the last five years haven't had to deal with some very serious situations. The reality is all those things had to be done. None of those things have created a doomsday scenario. The worst prospects this province faced were in 1990 to 1992. In fact, our relative position is far better now than it was then. So I say again, the doomsday scenario that you are trying to create is a lot of baloney. In fact, our relative position is much better than it was in those very difficult days of 1992 and 1993.

Let's go back to look at some of the specific numbers with respect to the Workers' Compensation Board. In fact, when your government was last in power, you did leave behind a pretty serious situation, a \$5.8-billion unfunded liability. That unfunded liability has grown. The first time that unfunded liability started to come down was last year, as a result of some of the changes that were made—and I'm not here to talk about what the Liberals did or what we did. The fact is some changes were made and the fact is those changes were beginning to produce a number of positive and productive results. I would argue that if they were left in place and if the bipartite board were left in place, they would have continued to have produced some productive and some positive results.

Instead, what you have done is you have marched blindly, as I say, back into that command-and-obey style of operation. That command-and-obey style of operation is not going to get you any cooperation and it's not going

to get you the kinds of results that we all want and need in this province.

I just want to deal for a minute in terms of who is paying the freight here. It's ironic—well, no, it's not ironic; it's predictable. It's unfortunately predictable that from this government what we're getting is this: Workers are going to have to deal with a reduction in benefits.

Workers are being told: "Even though you are in the most unfortunate position, you are going to have to give up something. Even though you are the people who are disabled, you are the people who are injured on the job, you will have to give up something." Okay? That's what the government is saying about this so-called crisis, this doomsday scenario it's trying to create. But while they're saying that out of one side of their mouth, they're saying to their wealthy friends, "We are going to give you a huge tax reduction."

It seems to me that if you're trying to get people to work together, there is no way that you can take injured workers, who are in the most difficult social and economic situation in the province, and say to them, "You will take less," and at the same time you will say to the wealthiest people in the province, "You can have more." Somehow the doomsday scenario falls apart again. It would seem to me that if there is a doomsday scenario there, you must be saying to everybody, "You can't have more."

But again, that's just an illustration of how phoney this doomsday scenario really is. There is no reality behind this doomsday scenario. It is a political creation, created for ideological reasons by a government that is the most ideologically driven, I think, of any I've seen in this province in the last 25 years. Instead of looking for consensus, instead of looking for ways to get people to work together, instead of working for cooperation, it is simply a matter of finding scapegoats, finding victims, whether they be people on social assistance or injured workers or the unemployed, and sticking it to them.

So I would say, and I would plead with the government, take a look at what you're doing. Listen to some of those people who are out there who are trying to offer you constructive advice and constructive help. Listen to some of those people, like Professor Adams, who's saying: "Look around at the developing world economy. Look at what is happening in other economies in terms of the attempt to move towards a more cooperative model." Look at the advice they're trying to give you. Don't proceed on the basis of what was the accepted wisdom 15 or 20 years ago.

I want to say just a few words about injured workers in particular. In my constituency I have a lot of pulp and paper mill workers, sawmill workers, people who work in mines, people who work on the railroad, people who generally work in a resource-based economy. The historical reality in the past has been that you find your most serious workplace injuries in those kinds of situations. People working in logging, for example, face a very risky type of work—people working in paper mills, people working in sawmills.

The most serious cases, the most serious situations you have walk into your constituency office, are people who

have been injured on the job in those situations, and by and large they are people who would give almost anything to be able to go back to work. You will see in many cases people who will go to their physician and ask for a prescription of painkillers just so they can go back to work, knowing—knowing—that in the longer term they won't be able to continue this. That's the reality in many of these situations.

The focus, though, of our government was to try to promote safe workplaces.

I want to deal with one particular place that's in my constituency, the paper mill that's in my home town, which for the last three years has been the safest paper mill in all of Canada, and to give you some of the experience of that workplace.

That paper mill sat down and worked jointly with the unions, with their employees, to develop a very strong worker health and safety agenda, and they did it through the health and safety agency. As a result of that, they became the safest paper mill in all of Canada. As a result of that, their workers' compensation premiums went down. As a result of that, their productivity in the mill went up—an excellent formula. It's a very profitable mill.

But what was the key? What was the key was that willingness to sit down in a cooperative model with the trade unions in that paper mill and with the employees in that mill and recognize the legitimacy of those workers and those unions, and recognize that the trade unions, the labour movement employees, workers, need to be listened to, need to have their legitimacy, their currency, recognized in the workplace, need to be represented in terms of health and safety. When that happened, when they recognized that need to give currency, to give legitimacy to those workers, everything else flowed from there.

I've picked one factory, one plant, but consider the direction, I say again, you are taking. Nothing you have done in labour relations, nothing you have done in health and safety, nothing you have done in workers' compensation will lead in any way towards the development of that cooperative model. In fact, what you're doing is you're tearing down the prospects, the possibilities of a cooperative model.

I say to you, again, the result will be that you will destroy the kinds of mechanisms, the kinds of processes we need to have in our factories, our mills, our workplaces, wherever they are, and at the end of this process, at the end of this experiment you will inherit, you will receive the negative outcomes.

1750

Where do we go from here? At least with this bill I understand there may be some hearings and you may get a chance to actually hear from some people out there about how in the longer term to promote better labour relations, how in the longer term to better promote a cooperative model and how in the longer term to actually solve what is a tough and difficult issue.

But simply looking at this as something where you slash here and burn there and reinstall the command-and-obey type of structure, and thinking that is going to be the simplistic solution, I'm afraid is not going to work for

you, and unfortunately it's not going to work for the Ontario economy, which is something we all want to happen.

I could go on, but I know some other folks have some comments they would like to make, so I will finish now. The cabinet may have its mind made up, but I would hope that some of the government members would actually take time over the next few weeks, when there will be some type of hearings on this bill, to actually talk to some of those folks out there who want to recommend the more cooperative model for you.

The Acting Speaker: Questions or comments?

Mr Wildman: I just want to commend my colleague the member for Rainy River for putting forward a very reasoned approach. I would hope that government members, if they don't agree, will at least consider seriously the comments he has made about the possibility of a more cooperative approach to labour relations and to dealing with things like occupational health and safety and workers' compensation in this province.

The suggestion that it is unacceptable, as apparently it is for the government, to have a 50-50 balance on the board of the Workers' Compensation Board, where workers are represented in equal numbers with employers, is very unfortunate. The attempts that have been made over many years by many governments of various stripes to deal with the problems of that institution and to deal with the needs of injured workers and the needs of employers who are paying the freight have not been very successful.

The changes that have been made, as my colleague from Rainy River has pointed out, over the last couple of years have finally started to move in the right direction. It would take some time, and it will take some time, to deal with the unfunded liability, but frankly to cut workers in their benefits by 5% is not going to make much difference in terms of the underfunded liability and simply is punishing the injured workers. It is part of the whole context of this government's approach, which is based essentially on the view that the poor have too much money and the rich don't have enough.

It really turns Marxism upside down. It's a rather strange approach. The old saying for Marxist-Leninists used to be, "Make the rich pay." This government's approach is, "Make the poor pay." I think it would be much better to follow the approach of my colleague from Rainy River.

Mr Hastings: It's most interesting listening to the proposition from my honourable colleagues opposite that reverting back to a more traditional multiparty type of representation on the board of directors of this organization won't work. Well, if that won't work, what's happened in the last 10 years or so in terms of this 50-50 ideal balance that they talk about in terms of having employers and workers represented at the WCB board evidently hasn't worked that much either, because if it had, this particular Labour minister and this government would not have had to make the major recommendation involved in Bill 15.

This so-called cooperative model they're talking about is actually a recipe for deadlock, for gridlock, and the best illustration of that situation is the recently demised,

I hope, Workplace Health and Safety Agency, which had this bipartite-type model which led to absolute gridlock after many efforts on the part of both parties.

It didn't work—that's the reality—because we end up with a management representative of that particular agency failing to sign off on the generous severance situations that were provided by the labour representation of that agency. If that's cooperation, then I guess I've got a different definition of what that term means.

Absolutely, the model we've had for the last 10 years hasn't worked that well. That's why we're going back to trying the other one. It may not work as well either, but at least let's try to get out of the gridlock, out of the deadlock, in decision-making we've had at the WCB and the absolute failure in terms of accountability, financial and otherwise, which I'll go into tomorrow in detail.

Mr Pouliot: The member for Rainy River has been there, has worked in a mill, long and hard, eventually got a law degree. His father before him worked for many years in a paper mill. His brother still works there. Oh, he's upset. He doesn't see the need to change the composition of the board. The member shared with us his anxiety about stacking the deck with friends, with hacks and bagmen, with people who have served their cause well. He fears that, and I share his concern.

He's appalled and shocked when a worker, a person is down and a government chooses, when she or he is at their most vulnerable, to pick their pockets, to descend and clean the carcass—5% less.

People have been hurt. I worked 20 years in a mine. Twice I suffered from cyanide poisoning.

Interjection.

Mr Pouliot: Oh yes, can you imagine being among the less fortunate and having my pockets cleaned by another 5%? It's not going to redress what is wrong. It's simply taking advantage one more time of the people who can least defend themselves.

There's still time. If only the backbenchers would break away from their chains—

The Acting Speaker: The member's time is up.

Mr Pouliot: —would shed their shackles and do what's right for the workers of the province.

The Acting Speaker: Take your seat, please. There's time for one more question or comment.

Mr Baird: It's funny that the honourable members opposite get up and talk about parts of this bill that aren't even there. We suggest that they can't find a lot to complain about in the bill. I know my friend from Lake Nipigon knows that.

I say to the member for Rainy River that if you look at the problems with the current WCB, simply ignoring them is not going to solve the problem. Simply tinkering with the problem is not enough.

I think it's important to get on the record again, I say to my friends opposite, that in 1988 the unfunded liability of the board was \$7.3 billion; in 1989 it rose to \$8.4 billion; in 1990 it had risen to \$9 billion; in 1992 it had risen to \$11 billion. By 1993 it was \$11.5 billion. It just kept getting worse and worse.

The previous government, and I'll give some credit, took some action to get the unfunded liability under control. In two years it had gone down by \$100 million, and that was some progress, because we didn't see it from our friends in the official opposition. My friend from Lake Nipigon says they were getting there. At that rate it would be 230 years before we got there.

Mr Baird: I know my friends opposite. They dream of the next century with Premier Bob Rae back at the helm, but even he's not going to get terms, I can assure you of that.

This legislation is the first step in beginning to get some financial control of the WCB. The multi-stakeholder board will bring some balance to the board. It won't be a recipe for confrontation.

I note that the experience was recently borne out in British Columbia, where the NDP government there was forced to suspend its bipartite board. It didn't even work in the NDP lotus-land and they suspended the board. These actions, I think, are most reasonable and they're all designed, all part of the government's program, to create hope and opportunity and jobs. I congratulate the member for Rainy River for not taking the full 30 minutes. He's the first member not to do so and I commend him for it.

Mr Hampton: In response, one of my colleagues handed me some information that I suggest the Conservative members might want to look at. We can thank the member for Nepean for citing the increases in the unfunded liability. The greatest increase in the unfunded liability of the board occurred between 1984, when it was \$2.4 billion, and 1985, when it \$5.4 billion.

Yes. Under the Conservative government the unfunded liability more than doubled in the space of one year. What I also want to draw members' attention to is that what the member for Nepean forgot to mention was that in fact through the 1990s the actual acceleration in the rate of the unfunded liability was coming down. It was actually dropping down. If you put it on a bar graph it shot up from 1984-85, then it accelerated and then it started to drop.

I would ask this question of the members opposite again: If the reforms were working, if they were working in actual workplaces, if they were working in terms of a drop in the unfunded liability, if they were working in terms of some of the rates that some employers were actually having to pay were starting to drop, why would you want to interfere with something which was starting to show success?

The only reason, when you dig through all this, is its ideology. This government does not want anything left around which recognizes the legitimate place of organized workers, of workers' organizations, either in terms of the health and safety agency, the Workers' Compensation Board or anything else.

The Acting Speaker: It being past 6 of the clock, the House is now adjourned until 10 o'clock tomorrow morning.

The House adjourned at 1803.

CONTENTS

Wednesday 15 November 1995

MEMBERS' STATEMENTS

Minister of Transportation	
Mr Miclash	729
Franchise businesses	
Mr Martin	729
Richard Cavanagh	
Mr Newman	729
Citizens of Distinction awards	
Mr Agostino	729
Transfer payments to municipalities	
Ms Martel	730
TMJ disorders	
Mr Maves	730
Health care funding	
Mr Crozier	730
Environmental assessment	
Ms Lankin	730
Police Bravery award	
Mrs Marland	731

ORAL QUESTIONS

Tax evasion	
Mr Phillips	733
Mr Eves	733
Ministry adviser	
Mr Duncan	733
Mr Eves	734, 737
Ms Lankin	736
Health care funding	
Mr Rae	734
Mr Eves	735
Mrs Caplan	736
Mr Wilson	736
Bus transportation	
Mr Rae	735
Mr Palladini	735
Education reform	
Mr Stewart	737
Mr Snobelen	737
Protection of privacy	
Ms Castrilli	738
Mr Harnick	738
Mrs Boyd	739
Highway safety	
Mrs Fisher	739
Mr Palladini	739

Road maintenance

Mr Colle	739
Mr Palladini	739
Comprehensive health organizations	
Mr Hampton	740
Mr Wilson	740
Northern Ontario Heritage Fund Corp	
Mrs Johns	741
Mr Hodgson	741
Agricultural land	
Mr Bradley	741
Mr Villeneuve	741

MOTIONS

Committee sittings	
Mr Eves	741
Agreed to	741

PETITIONS

Hospital restructuring	
Mr Kwinter	741
Non-profit housing	
Mr Martin	741
Community-based justice options	
Mr Jordan	742
Health care funding	
Mr Crozier	742
Labour legislation	
Mr Wildman	742
School bus safety	
Mr Cleary	742
Public libraries	
Mr Gerretsen	742
Child care	
Mr Ruprecht	743
Highway safety	
Mr Bartolucci	743
Mr Gravelle	743
Mr Miclash	743
Mr Ramsay	743

FIRST READINGS

Advocacy, Consent and Substitute Decisions Statute Law Amendment Act, 1995, Bill 19, Mr Harnick	
Mr Harnick	744
Agreed to	744

SECOND READINGS

Workers' Compensation and Occupational Health and Safety Amendment Act, 1995, Bill 15, Mrs Witmer	
Mr Christopherson	744, 753
Mrs Witmer	752
Mr Sergio	752
Mr Baird	752, 764
Mr Wettlaufer	753, 758
Mr Gerretsen	757
Mr Hampton	757, 760, 764
Mr Gilchrist	757
Mr Crozier	758
Mr Cordiano	758
Mr Wildman	763
Mr Hastings	763
Mr Pouliot	764
Debate adjourned	765

OTHER BUSINESS

Visitors	
The Speaker	731
Bernie Newman	
Mr Duncan	731
Mr Wildman	732
Mr Sterling	732

TABLE DES MATIÈRES

Mercredi 15 novembre 1995

PREMIÈRE LECTURE

Loi de 1995 modifiant des lois en ce qui concerne l'intervention, le consentement et la prise de décisions au nom d'autrui, projet de loi 19, M. Harnick	
Adoptée	744

DEUXIÈME LECTURE

Loi de 1995 modifiant la Loi sur les accidents du travail et la Loi sur la santé et la sécurité au travail, projet de loi 15, M^{me} Witmer	
Débat ajourné	765

A2 ON
X1
-D23

Government
Publications



No. 24

N° 24

ISSN 1180-2987

Legislative Assembly of Ontario

First Session, 36th Parliament

Assemblée législative de l'Ontario

Première session, 36^e législature

Official Report of Debates (Hansard)

Journal des débats (Hansard)

Thursday 16 November 1995

Jeudi 16 novembre 1995



Speaker
Honourable Allan K. McLean

Président
L'honorable Allan K. McLean

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

Hansard on your computer

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. For a brochure describing the service, call 416-325-3942.

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-7411.

Subscriptions

Subscription information may be obtained from: Sessional Subscription Service, Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur votre ordinateur

Le Journal des débats et d'autres documents de l'Assemblée législative pourront paraître sur l'écran de votre ordinateur personnel en quelques heures seulement après la séance. Pour obtenir une brochure décrivant le service, téléphoner au 416-325-3942.

Renseignements sur l'Index

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-7411.

Abonnements

Pour les abonnements, veuillez prendre contact avec le Service d'abonnement parlementaire, Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311 ou, sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 16 November 1995

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 16 novembre 1995

The House met at 1002.

Prayers.

PRIVATE MEMBERS' PUBLIC BUSINESS

PUBLIC TRANSPORTATION AND HIGHWAY IMPROVEMENT AMENDMENT ACT, 1995

LOI DE 1995 MODIFIANT LA LOI SUR L'AMÉNAGEMENT DES VOIES PUBLIQUES ET DES TRANSPORTS EN COMMUN

Mr Gravelle moved second reading of the following bill:

Bill 16, An Act to amend the Public Transportation and Highway Improvement Act with respect to the removal of snow and ice from roads / Projet de loi 16, Loi modifiant la Loi sur l'aménagement des voies publiques et des transports en commun en ce qui concerne le déneigement et le déglacement des routes.

The Speaker (Hon Allan K. McLean): The member has up to 10 minutes for his opening remarks.

Mr Michael Gravelle (Port Arthur): I'm pleased to rise in the House today to discuss a move that I consider a crucial safety initiative for the 6.7 million drivers of this province as the winter months set in. I look forward to discussion on Bill 16, An Act to amend the Public Transportation and Highway Improvement Act with respect to the removal of snow and ice from roads.

Why do we need this bill? It's a very clear issue and it's a very simple equation: Quantities of snow plus ice on our highways equal danger to drivers. Unless this snow and ice are removed quickly, the danger persists and can multiply as more snow and ice accumulate. This is clearly a public safety issue.

The depth of the concern and the rumours that the Ministry of Transportation will be introducing cuts to its winter road maintenance budget first came to my attention during a tour of northwestern Ontario communities in late September. The fact is, winter comes to northern Ontario before it arrives in most other parts of the province. My constituents in Port Arthur have been shovelling snow since the first snowfall in mid-October.

As a northerner and as the representative of Port Arthur, I understand the fears that cuts to winter road maintenance engender. Even the most cursory glance at a map illustrates that the distances between northern communities is much greater than that usually experienced in other parts of the province. Northern drivers do not enjoy the luxury of four lanes on their highways.

To put that in perspective, given the issue we're discussing, if highways in the north are maintained only to centre-bare conditions, clearing really only one lane down the centre of the highway, that can mean head-on accidents. In many cases, there are no paved shoulders.

This makes travel particularly dangerous, and skids due to ice will not end on a neatly paved surface. Certainly in light of the auditor's report of a day or so ago, where 60% of our highways were deemed substandard, many of those were in the northern parts of our province.

Notwithstanding that, I think it's important to know that this is not an issue for only those of us in northern Ontario. Certainly my colleagues in Prescott and Russell in eastern Ontario and colleagues all across—Mike Colle for Oakwood—would urge me to make it clear to most people that this is a province-wide issue. Our storm in Toronto the other day certainly illustrates that, and everybody is concerned, including those people on the other side of the House.

We should take a moment to remember that all these conditions are also heightened when one considers that emergency services and school buses also rely on these highways to transport their precious cargo, and they rely on the fact that the longer distances they need to travel must be safe. Firefighters need to be able to get to a burning home or business so that they can do their job. Someone needing medical attention needs to be able to get to facilities which may take them from Nakina to Nipigon, a distance of well over 200 kilometres.

On October 23, my colleagues and I in the northern Liberal caucus distributed petitions across northern Ontario. We felt, and we still feel, that the people who live and drive on our highways should have some input in the discussion. We believe they should be able to send a clear and direct message to this government regarding the cuts to road maintenance. The document petitioned the House to disallow these cuts, as such downgrading increases already hazardous driving conditions and places the lives of all Ontario residents at undue risk. None of us was surprised with the response. I personally have received from petitions sent to my riding in Port Arthur well in excess of 3,000 signatures, with more pouring in daily.

But, you know, it's not just Michael Gravelle in Port Arthur. It's Mike Brown in Algoma-Manitoulin, Rick Bartolucci in Sudbury, Frank Miclash in Kenora, David Ramsay in Timiskaming and Lyn McLeod in Fort William, Jean-Marc Lalonde in Prescott and Russell, Mike Colle in Oakwood, my colleagues in the NDP. Our constituents have spoken in volumes and we have the petitions to prove it.

It's not just private individuals either. I've received support from OPSEU and the Canadian Automobile Association. The mayors of Walden and Sault Ste Marie have received council resolutions urging the minister to rescind the then proposed reductions. The communities of Terrace Bay and Red Rock passed resolutions supporting our position. Even the town of North Bay, whence our Premier comes, has responded to our concerns.

For months now my colleagues and I have risen to implore the minister to rescind what were then proposed and have now been implemented: cuts to winter road maintenance in this province. Our appeals for common sense have gone unheard. The minister has continually assured this House that the ministry will continue to maintain the roads in a safely adequate fashion. Now what exactly does that mean? In total, there have been more than 10 occasions where members of this House have raised the issue. The minister's reply has remained constant: "We're committed to maintaining our standards."

The problem is that these are empty words and empty promises, with no real assurances. Public safety is not an issue that has a right to be in the arena of this government's "We can do more for less" credo. My bill will go a long way to provide reassurance to the people of this province that the government will maintain our highways to a clearly stated and openly communicated set of standards.

The winter road maintenance budget has been consistently reduced since 1992. I realize that technology and advances in weather predictions make it easier to respond to the weather. But there is one unalienable truth in Canada: Winter is a force to be reckoned with and it will defy our attempts to control, modify and often to predict it.

As a result, the hard-working staff in our MTO offices across the province need the support and the facilities necessary to fulfil their commitment to keep our roads and highways safe. The sad irony here is that while this government proudly flaunts new measures this fall to improve safety on our highways—restrictions on transport trucks, stiffer penalties for drunk drivers—it adamantly refuses to acknowledge the very real hazards that will surely come from these irresponsible cuts.

My bill, entitled An Act to amend the Public Transportation and Highway Improvement Act with respect to the removal of snow and ice from roads, takes current ministry standards and entrenches them legislatively. It does not make outlandish demands that the government cannot fulfil. We're not asking for an increase in the budget. We will continue to implore the minister that he rescind the latest round of cuts, but we're well aware at this point that he has remained oblivious to such appeals.

The standards that we seek to entrench are the ones currently in use by the Ministry of Transportation. They are in no way to reflect a ceiling on the degree to which the roads should be cleared. What they represent is the minimum, the standard for winter maintenance of roads and highways in this province. This bill would take existing ministry guidelines and move them into the sphere of public legislation. The benefits are clear and I think they're twofold.

1010

First of all, the inclusion of these standards would fill a gap in the existing legislation. At this point there is no provision in the legislation that outlines the standards by which roads and highways in this province must be maintained. Imagine, there is no legislative provision guaranteeing the people of this province that their roads will be maintained to clearly defined and safe standards.

Secondly, entrenchment of these standards would ensure that any amendments or changes would involve public debate in the Legislature—there's a nice thought—as any amendment to legislation currently requires. Given the reductions that have occurred over the past three years, such a guarantee is important.

The recurring nature of these cuts and the statement by one senior ministry official that reductions in future years are also anticipated lead to a fear that there will come a point at which the ministry will no longer be able to maintain the roads to the basic standards outlined in this bill. The erosion of these standards represents an increased risk to drivers across the province, a risk we can never in good conscience ask drivers to take.

Surely, seeking all-party support to simply guarantee that ministry standards already in place are legislatively entrenched cannot be denied. That's the essence of this bill. While the minister maintains that these standards will be maintained this year, the fear of drivers in this province is illustrated by the volumes of petitions that have been returned and speak to the sense that the public does not believe the minister's assurances.

The tragic fact is that accidents will happen in winter. This is as much a fact of Ontario life as winter itself, but by reducing the capacity of our dedicated ministry workers to maintain the roads of this province by reducing the number of sanders and plows, by cutting the number of patrols, the minister unnecessarily increases the risk. His own ministry officials recognize this.

We cannot gamble on public safety. The minister has steadfastly refused to rescind the cuts for this year, regardless of entreaties from both opposition parties. I ask that we guarantee that our roads will be the safest possible this year and next year and the year after that by legally entrenching the standards that are included in my bill and by assuring the people of this province that the government of Ontario and all of us here at Queen's Park are truly standing on guard for them.

The government is risking public safety for the sake of \$6.5 million. There are some gains in highway safety. They should not be discredited. Supporting this bill means only supporting provincial standards as they are. This is not a matter of ideological debate, nor one of party affiliation.

When I was in Geraldton a couple of months ago, a question was asked of me which I will now in turn ask each and every member of this House: If it is not the role of government to ensure safety on provincial highways, what is their role? What is their role indeed?

I ask all members to support this bill. Let's all send a message of reassurance to the people of this province by supporting a move that will guarantee safer roads and highways for all of us.

The Speaker: Each party will now have 15 minutes, and the honourable member will have two minutes to wrap up at the end.

Mr Gilles Pouliot (Lake Nipigon): In terms of timing, the venue, the opportunity that a private member's ballot item offers—and in the case of my colleague from Port Arthur, M. Gravelle—couldn't be more timely and appropriate. It's so tempting this morning, for the

issue is so real, to say, "Don't blame the weather; blame Al Palladini, the current Minister of Transportation." I will not do this. I will resist, and you will wish, as a point of interest, to know why.

Here you have an administration which is ideologically driven. They're on a sort of bender or binge when it comes to ideology. They wish to not only reduce but eliminate the deficit at all costs.

Now we'll take you on the legislative trip. Oh, it won't last too long.

The order comes from treasury board. You see, a group of people meet. That's the cabinet, 16 or 17 of the fortunate ones on whose shoulders the future of the province will rest for the next four years, so they think. The man sitting there, the Premier of the province, with respect, is a close associate with the man sitting next to him, the Deputy Premier, Minister of Finance, House leader; very close in the political context indeed, a very close associate. They've known one another for years. They trust one another implicitly. They govern, they and the Premier's office, make no mistake about it. Not P and P, not the few select ministers, priorities and planning. No, no. They have a stranglehold on caucus.

The directive comes from treasury. Every minister gets the marching order: "You must reduce the deficit. You at Transportation must find so many millions of dollars. We know, Al, that you're a team player. We know that you will work in the collective." So the minister takes the marching orders under his arm and goes back to the ministry. He has a few political associates, political staff, six or seven. Now, you have the deputy minister. You have six ADMs, assistant deputy ministers. Those people have been around since Confederation. They know the ropes. There's a pecking order there. And you have to find so many millions of dollars.

In the food chain at Transportation, Mr Speaker, I have a question for you: Who do you think went—the district engineer or Harry Smith, the grader operator? There's a lot of anxiety nowadays around the coffee machine and the water fountain because the word's out: Some will be terminated. Will it be you? Will it be me? Will it be the fellow behind the tree? But someone's going to go. So people are looking over their shoulders, pink slip on the one hand, brown envelope as you exit on the other hand, with something in it.

It's the oldest trick in the world. We must cut. Well, I'm going to cut something and it's going to blow right up in your face, Mr Minister. For I don't believe that when it comes to standards, I don't believe that when you have a budget of more than \$2 billion, I don't believe that when you have a choice between summer maintenance and winter maintenance, inevitably you will choose summer maintenance. Aesthetically, it's damaging, but in terms of safety it is certainly not as hazardous as winter.

I know the minister would not wish to jeopardize anyone's life. No one does that; no one. No one is deliberate nor systematic when it comes to public safety. But the perception out there, and it's important, is that we will see fewer plows, and we have the documentation: unsolicited minister's briefing notes, reduction in the number of plows and sanders. For it is written; it tells me

who to call. I know that I have immunity in this House, but I will not divulge the name. But those people are very high in the pecking order at Transportation. They're the ones who told our friend the Minister of Transportation where to cut.

They've tried it with me, and I'm no different from Mr Palladini, but having lived in Manitouwadge for 30 years, maybe a little more sensitive when it comes to winter maintenance. Maybe our colleague didn't have much of a chance. For a few dollars? For six and a half million dollars? You're spending \$1 billion on the 407. I signed the contract, \$928 million, plus the gadgetry, the toll fee.

1020

Politically, even if it were only in the political context, these issues come back to haunt you big time. You don't have three question periods without someone getting up and saying: "What gives here? What gives?"

People are scared. People leave Terrace Bay to go to Marathon, 78 kilometres, and if you have an evening like last evening or the one before, snow, precipitation, the two-lane Trans-Canada Highway, winding road, you're in your car with your family, visiting a friend, and there's a transport, and you pull to the left and you begin to pass; hopefully, you'll make it before the next curve. But the snowplow hasn't been out for the last eight hours because of cutbacks. Then you step on it a little more and you see lights in the distance, another transport coming, and you begin to die. Will you or will you not make it? The alternative is to ditch the vehicle.

Why chance it? Safety should not be a game of chance. The minister should keep his fingers crossed, hoping that it won't snow. For as long as the river flows and the sun shines, there will be snowstorms, and in northern Ontario, we are more impacted than anywhere else.

What my friend the member there says is: "Hey, no money; no money attached to this. Just guarantee the standards so we can have peace of mind." He's not asking for something that is irrational, that is unreasonable, that is parochial, that is politically motivated. He's asking for the very same thing that we all care for in terms of value for money. You don't question when there's a forest fire how much money you have in the budget. You go. The situation calls, so you don't question. You go and you find the dollars someplace else. The same thing applies. The validity of the analogy, of the parallel, is flawless when it comes to nature and having the tools to defend ourselves and to deal with the elements.

Six and a half million dollars. A \$57-billion budget for the overall in the province. It's a mere bagatelle. It's a pittance. They should see the Minister of Education and Training. We're graced with your presence. I'm sure when he looks at the \$14 billion spent on schools and universities, he must be very thankful that he doesn't live in a remote northern municipality. Six and a half million dollars. Look at the damage that is being done.

I will be supporting the bill. There's no other choice, for the bill addresses and tells us what everybody knows really. It's commonsensical. It is not an arm and a leg in

terms of the government. It's not a departing from their ideology. It's common sense.

I thank you, Mr Speaker, and I thank the member for presenting the bill.

Mr Jerry J. Ouellette (Oshawa): I'm pleased to speak to this bill today. I know the member for Port Arthur is concerned about winter maintenance standards, but knowing Thunder Bay and the north as I do, I feel that he does not have all the facts.

The standards he proposes to legislate are already the Ministry of Transportation's current standards. I happen to know that the Ministry of Transportation is where he got the background information for the bill in the first place. But what he may not know is that the ministry is continually exceeding his standards as set out in his bill when it comes to clearing roads in the winter.

A class 1 road is defined in southern Ontario as a road that has greater than 2,000 vehicles a day travelling on it, but in northern Ontario a class 1 road is any road that has greater than 1,500 vehicles travelling on it. So it is the current policy of the Ministry of Transportation that the standard for winter maintenance in northern Ontario is higher than for the highways in southern Ontario. In other words, northern Ontario has to have less traffic to qualify for the same standard of service. I think it shows that the Ministry of Transportation is very well aware of the conditions in northern Ontario. I might add that all this time the member for Port Arthur has been alarming people in the north about winter maintenance standards, he has already known that this is the case.

I mentioned earlier that the member, as anyone can, obtained the background information for his bill from the Ministry of Transportation itself. But there was one aspect, for one reason or another, that did not make it into this bill. The ministry standard for class 1 highways says that a divided highway and other highways with average traffic of over 10,000 vehicles a day should be cleared as soon as reasonably possible, but that's not in this bill. In putting forth this bill, he is proposing to lower standards for our divided highways and more heavily travelled highways. What about the 401, with 450,000 vehicles passing over its centre section every single day? In fact, the Ministry of Transportation usually clears the major highways in the greater Toronto area within four to six hours of a storm or, as in yesterday's case—without any accidents, I might add—even sooner.

If the member's bill were to become law, the standard for our major highways would be reduced to bare pavement within 24 hours after a storm. Tell that to the people shipping goods or who, as I do, commute within the Golden Horseshoe. Our strategic highways provide much more than just personal transportation for workers, students and other citizens. They are the coronary arteries of Ontario, moving the lifeblood of our economy to and from its heart. So while the member thinks he is legislating a minimum standard, he is in fact legislating a maximum. I hope that he does not want to do that.

If the technological changes allow us to increase standards or change the categories, we will have to go back to the Legislature and amend the Public Transportation and Highway Improvement Act. I know that we in

the Legislature come from all walks of life and have a great deal of knowledge and experience in these areas. However, who among us can predict the weather or call themselves an expert on winter maintenance?

These standards were developed by professionals and experts with many years of experience and knowledge of snow and ice removal from highways. That expertise is the basis of our winter maintenance in Ontario. We have the best people in the world working to maintain our highways. We have implemented private sector management strategies to make the most of our dollars. We have excellent equipment and modern weather forecasting. All these add up to the best service at the best price.

I think maybe what the member is really trying to address here is money. He is concerned that because the ministry has done some restructuring in this area, our standards will suffer. That is simply not the case.

I would like to echo some of the minister's comments of yesterday. The ministry will use its knowledge and expertise to put people and equipment on the roads where and when needed. When it snows, our people and equipment will be on the roads. They won't be where it's not.

What that means is that we have the flexibility to react to severe conditions. That is the very reason we have implemented these efficiencies. In winter maintenance, like in any other business, you have your fixed costs and your variable costs. You keep your fixed costs to a minimum so you can stay in business in good and bad times. In winter maintenance, we have minimized the fixed costs of things like patrolling, but we have not capped the costs of extra people and equipment we will be bringing in when they are needed. We have the flexibility to react to severe winter conditions, and at the same time we are reducing fixed costs to help ensure that we will have the money to pay for the extra service if and when it is needed.

1030

Of course everyone asks: "What if we really have a bad winter? How will you save the money?" The answer is, we can't. If it's a severe winter, we may not save any money, and we are prepared for that eventuality. Because the Ministry of Transportation is committed to ensuring the people of Ontario have the safest highways in North America, that's why we are going to refocus our capital dollars on highway repairs and maintenance: to fix the deterioration of the highways that is the result of 10 years of neglect by the former Liberal and NDP governments.

Just prior to closing, it's time that it's told that this year's total winter maintenance budget is in fact substantially higher than the total required budget for last year's winter maintenance.

In closing, the next time the member comes up short for a private member's bill and grabs at snowflakes, it's best he passes, exchanges places or gets to work and puts together some legislation with some meaning and responsibility to the people of Ontario rather than to attempt to legislate that which is already a standard.

Mr Michael A. Brown (Algoma-Manitoulin): I'm pleased to enter this debate this morning in support of the efforts of my colleague the member for Port Arthur and

the efforts of the entire northern Liberal caucus and, as a matter of fact, our entire caucus. I think there are some things we have to understand. Northerners are particularly concerned about the direction of this government, because northerners rely on the roads to a far greater extent.

In the north we don't have counties; we have districts. Much of what would be in southern Ontario a county responsibility is done directly by the Ministry of Transportation in northern Ontario. Therefore, of our secondary roads, what might be a county road in the southern part of the province is a road that is necessary to commerce, to emergency vehicles. It's necessary for our very way of life. Yes, we won't have the kinds of numbers going over those roads that you will in southern Ontario, but you cannot write an entire section of the province off just because our population in rural areas is slightly smaller. We don't meet those kinds of standards, and that's what this debate's all about and that's why it's got us on this side so exercised to hear the rather stupid statements that we're hearing from the ministry.

What we're saying is that it does make a difference. My constituents are telling me it makes a difference. I drive these roads weekly. My constituents drive them daily and they want to know they can get to work. In western Manitoulin you are cutting service. In Silver Water, Meldrum Bay, Evansville, the plows are going to go down the road less. It is not going to snow less. It doesn't take rocket science. On Highway 542, the school buses going to the Gore Bay public school are likely not going to get there a lot more often than they used to, and that just doesn't make sense to me or any of the members on this side.

To put it in context for those fine people on the government side, in the good old days of Tory regimes in this province and Liberal regimes in this province there used to be a rough correlation between the revenue produced by the Ministry of Transportation and the amount of money it spent on roads. In 1991, Mr Laughren increased the gas taxes by 3.4 cents and reduced spending on transportation, and it's been happening ever since. Now the Ministry of Transportation's fees and gas taxes are just gravy train money for you guys over there.

We want that money. We told the New Democrats and we're telling you we want it spent on the roads. We want them safe and we want people to be able to know they can get to work and get back, get to school and get back, have a fire truck come when it's necessary, have an ambulance get there. That's what this is all about.

It's not just me; I have had hundreds of constituents sign petitions asking this government to reconsider this abhorrent decision. We want that to happen now. I've had letters from Sault Ste Marie, from Dubreuilville, from many municipalities in my riding, and I want to tell you, the minister better reconsider this decision.

Mr Rick Bartolucci (Sudbury): I rise in support of this private member's bill as well. The minister, in his new business context, is using for winter maintenance a business model known as the outcomes-based management model, and it's a good idea. It becomes an effective

business model when he couples that with standards. That's all that this private member's bill is asking for: that you legislate standards to the bill so that your outcomes can be based on objective targets and not on subjective ones.

All this bill is asking is that we establish and legislate a set of standards to ensure maximum safety for all people using the highways whether they live in northern Ontario, eastern Ontario, western Ontario or southern Ontario. It makes no difference; there's no preference. We just want a legislated set of standards to base our outcomes on, so that the minister can base his outcomes on a set of standards, proving to everyone in Ontario that his new business model, the outcomes-based management model, is a workable one.

Let me give you an idea and an example why we need a set of standards: Yesterday in Sudbury there was a snowfall. It started at 4 o'clock in the morning and it snowed for most of the day, but it was a moderate snowfall; it wasn't a heavy snowfall. This morning, the Ministry of Transportation of Ontario issued the following releases with regard to highways. Highway 69 south, snow-covered to snow-packed with icy sections; Highway 144 north, snow-covered with icy sections; Highway 17 east, snow-covered, slushy; Highway 17 west, bare to wet with snow strips; Highway 6, bare and wet with snow strips; Highway 11 north, centre-bare to snow-packed—all secondary highways, snow-packed, snow-covered, icy sections.

You can see there is no standard being established. That's all this private member's bill is asking for: that the House, the people who are elected to represent the people of Ontario decide that a legislated set of standards is important. Clearly, if everyone has the courage to establish a legislated set of standards, there will be an objective that the minister can shoot for so that his new business model with regard to winter road maintenance is achievable.

I urge every member in this House to take the courage and support this very realistic private member's bill.

Mr Frank Miclash (Kenora): I am pleased to have the opportunity to speak to this issue as well. I take a look at what the Conservative government is doing in this province at the present time and I must say that the Minister of Transportation is really going to have to take a look at this decision, because I've heard from a good number of my constituents, and a good number of constituents across the province, that this is possibly one of the most dangerous decisions that this government could be taking in terms of the cut to winter maintenance.

I brought this to the attention of the minister, who I wish would have been here this morning to listen to these concerns—obviously he is not—a good number of times, and at this time what I would like to do is go to some of the friends of the minister. The minister told us yesterday or the day before that he had friends in the north, and I want to just tell him what some of these people are saying. When I say, "friends," I say it very much off the cuff because I don't feel these people are friends, as they indicated in a petition yesterday. The past president of the

Progressive Conservative association in my riding, the riding of Kenora, signed a petition saying the minister was out to lunch in terms of cutbacks.

I'd just like to go to some of the letters. In a letter dated November 4, 1995, Mr Dave Roberts says, "May I emphasize that these accidents would never have happened if you had not tried to save a few bucks at the cost of human suffering and safety." He's referring to an accident that he attended as a volunteer fireman.

"I hold you and the Premier of the province solely responsible for these accidents. At what saving to the taxpayer? This involved police overtime, calling in a second ambulance crew, helicopter to Winnipeg, needless medical expenses, rescue and emergency response costs, and above all else human suffering and pain."

He goes on to say: "I hope you give your head a shake to try to put some common sense into it. No amount of money saved can replace unwanted human suffering or a precious life lost."

I go on to October 29, a letter to me from Alan and Cindy Brailsford from Sioux Lookout. They too were talking about an accident. "As a direct result of no snow removal or salting October 19-22 on Highway 72 to Sioux Lookout three people were killed and several others were seriously injured. Literally dozens of cars slid off the road during the three days that a wet snow built up on the highway causing sheer ice conditions." They go on to say, "We are hoping that you will act to reverse this intolerable decision as soon as possible before more people are killed." That from Sioux Lookout regarding Highway 72.

1040

Another letter from Sioux Lookout regarding the same accident, Highway 72: "It has now been over a week since a tragic accident took place on Highway 72 at approximately 5 pm on Saturday, October 21." The person goes on, the person from Sioux Lookout, Patricia Uren, and she talks about: "I am told by someone at the scene of the accident that it took at least one and one half hours for the ambulances to reach the scene because of the road conditions—perhaps someone could have been saved if the roads had been plowed. Unfortunately, three people died in that accident, one at the scene waiting for an ambulance....How many lives will be lost because of Ministry of Transportation budget cuts? Is it worth it—does the Minister of Transportation realize that reductions in winter road maintenance will put many drivers' lives at an incredible risk and already has?" Again, that comes from Sioux Lookout.

The final letter that I'd like to quote is from Red Lake, Mrs Janet Power. She goes on to write: "I am sure you are aware of the basic reality of life in the north—the road is our lifeline. Since it is threatened, we are threatened! Possibly we should all just move south where there are cell phones and easy access to better services. We could greatly expand the welfare rolls there, rather than the tax rolls here!"

Again, that comes from Mrs Janet Power of Red Lake, and she has a true concern.

As I said, there have been a good number of things that have been said about this, the minister's plan. I must say that it is a plan which is wrong, it's lame, it's stupid and it's dangerous. I urge the minister not to cut these vital services to our roads in the north.

Ms Shelley Martel (Sudbury East): I'm pleased to join in the debate today, but I want to say with all due respect to my colleague the member for Port Arthur, who I know will understand, I think it's ridiculous that we are in the House today as MPPs debating an amendment to the Public Transportation and Highway Improvement Act on this matter. I think it's ridiculous that opposition MPPs, particularly those from the north, who are represented here from both parties, have to be in here doing the job for the Minister of Transportation, who should himself be trying to protect the motoring public, not only in our special part of the province but right across Ontario.

I want to say that what we have here, at the end of the day, is the fact that you've got a Tory government which is so interested in trying to give a big tax break to the rich and famous that it is determined at any stretch and at any cost to put the public at risk. You've got a government that's interested in slashing and burning services and in cutting those essential public services that people need, particularly people in our special part of the province.

The service that's under attack today that we're trying to protect is in fact the highway maintenance budget of MTO. The minister has repeatedly said in this House that it doesn't matter what kind of cuts there are, that maintenance will be maintained, that standards will be maintained and that the public will be protected.

I ask you how that can happen when in fact we know that patrols are going to be cut from 24 hours to 16; that each patrol will now cover 190 kilometres instead of 115; that sand and salt spreaders are going to be reduced by 12.3%; that the number of plows to be reduced is in the order of 10%; and that 125 seasonal staff are going to lose their jobs. There is no way that standards can be maintained and that the public can be kept safe when driving on the roads this winter.

The problem is (a) the minister doesn't understand this situation, and (b) he really doesn't care about putting public safety at risk. It's very clear to us that the minister doesn't understand by his comments in this Legislature. Northerners need roads that are well maintained so they can go to work, so that our kids can go to school, so that people can access health care services. We don't have a public transportation system that you can use as you can use here in Metropolitan Toronto. We've got large geographic distances to cover, and we've got large distances between our communities.

You have a minister who says, "If you get in trouble on northern highways, you can pull out your cell phone and call for help." That shows how out of touch with reality he really is. Most people, common people, can't afford cell phones. Secondly, cell phones don't work in most of the special part of the province that we all represent from northern Ontario. So he's totally out of touch with reality and the driving conditions and the driving experiences that northerners have to face.

Secondly, he doesn't seem to understand that public safety is at risk. It's already been put at risk. We have already had two deaths just this last weekend because of poor road conditions. In my colleague's riding in Cochrane, we had a 65-year-old woman who was killed because of poor road conditions. In the riding of my colleague from Nickel Belt, we had a young woman from Blind River who was killed on Sunday morning, 15 hours after the snow had stopped, after the storm was over.

The OPP had this to say, "The roads were horrendous; it was slush and ice and open pavement," and that's after the salt trucks went over it. You have a situation where driver error was not the cause of this accident. The day was sunny. It was bright. It was clear. The problem was the roads hadn't been maintained some 15 hours after a storm, and that's before the cuts went into effect.

I want to say in conclusion it's a bloody shame that we're here debating this today, because this minister should assume his responsibility and make sure of public safety, that the driving public are protected.

Mr David Tilson (Dufferin-Peel): I'd like to congratulate the member for Port Arthur for bringing this topic forward. It's obviously a topic that's been of great concern to particularly members from the north, and I notice that mainly the people who've been speaking today are members from the north, although I will say that I am from the south. I guess I'm from the mid area. I represent the town of Caledon and the county of Dufferin, and I will say that the concerns of weather aren't all in the north, although there's no doubt about it that for the people in the north the weather is far more severe than the weather in the south.

But you can't claim all the bad weather. I can tell you that the people in my area get bad weather. We have had in my riding, particularly in the town of Caledon and the county of Dufferin, some unbelievable tragedies of motor vehicle accidents. Some may have been caused by bad weather. Some may have been caused by road conditions. Some may have been caused by drunk driving. Of course, our Attorney General is addressing that issue with some legislation that's now before the House—we haven't started to debate it yet—with respect to the automatic suspension by the motor vehicle registrar for 90 days if you're charged for drunk driving. So there are steps being made to alleviate some of the concerns.

I'm always interested in the member for Lake Nipigon with his comments, particularly on the process of how this place works. The problem is, for the member—and I appreciate what he's trying to do—you have to remember the debt in this province is \$100 billion. It's \$100 billion. Everybody says, "Don't cut us, cut the next guy." I don't know who your constituents are, who you're talking to, but most people are concerned about the tremendous expenditures that have gone on in this province by both the Liberal government and the Conservative government from the last 10 years. They've increased, and that's what we're about. We're about that issue.

I guess if we get to the crunch of your legislation, what you appear to be doing is, to use the word from one of your colleagues, legislating standards. You're codifying regulations. I think your intention is to put it in

legislation so things can't change without coming back to this House, and you're trying to set a platform, minimum requirements. I believe that's what you're trying to do.

But if you look at your legislation, what in fact you're doing—and this place doesn't just represent northern Ontario; it represents the entire province of Ontario, and you should never forget that—what you're doing, member for Port Arthur, is you're in fact putting a ceiling on standards.

One of the advantages of having this type of legislation in the form of regulations is that it can change from time to time.

1050

Mr David Ramsay (Timiskaming): We want a floor. The floor is sinking.

Mr Tilson: Well, there may be an emergency. The member is speaking from what's happening up in his area, the dump man. You know, there may be areas in his riding that may require certain emergencies. There may need to be more money spent there. I can't specifically think; it may have nothing to do with snow. It may be some other area.

The problem is, there's only so much money, and it's all gone. It's all spent. We're spending in this province \$10 billion on interest alone—\$10 billion—and that's the rationale as to why this government is making its cuts in all kinds of areas, and yes, that includes transportation.

The minister has stood up and answered very good questions from the opposition on the whole topic of cuts to certain areas in his budget. But he maintains, and I believe him, and if you look at what he's doing, he is maintaining a certain standard, a certain good standard. For the amount of money that's required, what we have—that's all we've got. Where are we going to get the money to do what you want us to do?

Again, don't just look at northern Ontario. You do represent a riding in northern Ontario, but you're going to have to look at all the other ridings in this province. All of these ridings have problems.

By putting these standards into legislation rather than regulation, I would submit to the members of this House that it makes it more difficult to have the standard changed in the event of an emergency or some other matter. Quite often the ministry exceeds its standards, depending on what area of the province you're in. During the past few years, the ministry has normally carried out its winter maintenance in some areas above these standards.

Mr Gravelle: As well it should.

Mr Tilson: Well, I'm just telling you that when you put forward rigid legislation such as this, you're going to box the ministry in. They won't be able to do the many things that are required around this province. Using standards as a guideline rather than a rule allows the flexibility to change them when it's appropriate. Many factors affect it, like the amounts of snowfall, wind conditions, temperatures, traffic. All of these things affect road conditions.

I'll be quite honest. I find it unfair when members stand up and ask the Minister of Transportation a ques-

tion and say, "You caused these deaths." What a horrible approach.

Accidents are caused by all kinds of things, and they're tragedies, they're unbelievable tragedies, in all areas of this province, and don't say the government caused those tragedies. There may have been conditions of the road; there may have been all kinds of reasons.

How do I know? Every member in this House has tragedies in their ridings caused by motor vehicle accidents. In my riding, and I suspect most members in this House could stand up and say the same thing, there are more deaths caused by motor vehicle accidents than anything else.

I congratulate you in that respect in at least bringing this topic forward. It's a topic that needs to be dealt with, but quite frankly, I think it would be more appropriate, member, to bring it forward in the form of a resolution rather than this type of bill. I think it's something that we need to canvass. We need to figure out how to solve some of these problems.

The Attorney General is bringing forward, as is the Minister of Transportation, a road safety plan. There are three ministers bringing forward a plan with respect to road safety, and there may be other things. But the fact of the matter is, you people—when I say "you," I mean Liberals and NDP—have spent all the money. It's all gone.

Mr John Gerretsen (Kingston and The Islands): Why don't you blame yourself too? If you want to be fair, blame everybody.

Mr Tilson: The member said I should blame everybody. You're quite right. We've all spent money, but not to the extent that your two governments have.

When you're asking the Minister of Transportation to spend more money, just remember what the debt of this province is; it's \$100 billion. Don't ever forget that figure. That's why all members of the cabinet are making certain cuts to their budgets. Why? Because they said they were going to do so in the last election. Don't ever forget that. We're honouring what we said we were going to do. Don't ever forget that.

I simply say, member, that although I congratulate you, I'm not going to be supporting this legislation. I believe it's inappropriate to deal with winter maintenance standards through legislation. I think it's more appropriate to deal with that through regulations, because you have to be flexible on these sorts of things, and I believe you're creating a very, very dangerous precedent of rigid standards that are going to cause the province of Ontario severe problems if this House allows this legislation to pass. Codifying standards will not give the government the flexibility to implement reductions in services that may be necessarily due to lack of financial resources.

Mr Ramsay: I wish I had more time today. I would like to congratulate the member for Port Arthur for bringing this bill forward, and because I have only a minute or so, I'm going very plain and blunt.

The member for Dufferin-Peel is saying that these cuts are necessary because of the budget deficit. That's not true. The reason these cuts are being made is so that

well-off people, primarily in the southern area of this province are going to be able to receive a tax cut. You're going to borrow for that money, and so what you're doing is jeopardizing the lives of people in rural and northern Ontario to pay for that tax cut.

I'm going to be more blunt, Mr Speaker, because if you look at the cuts of this government, it's the people who didn't support the Progressive Conservative Party, and northern Ontario is being punished because we didn't elect a member north of North Bay. That's what's going on here, and it's time that this government started to look to serve all the people of this province and make sure that the lives and safety of the people of Ontario are not put in jeopardy because of a tax cut to the rich.

Mr Jean-Marc Lalonde (Prescott and Russell): I'm pleased to have the opportunity to speak on this bill today in support of my colleague from Port Arthur. I too am concerned with the new standard of winter maintenance. In my riding, we have two main highways, the 17 and the 417. One of them used to be known as the killer strip in Ontario, Highway 17. I just want to make sure that this word, "killer," doesn't come back in our region. There used to be a lot of deaths on that road.

Every morning 70% to 75% of the labour force of my riding have to travel to Ottawa to get to their place of work. We have a distance of 120 kilometres from Ottawa down to la belle province, and if this highway is not maintained every morning, you can rest assured that it's going to be tough for our people to get to work in Ottawa. As I said, 70% to 75% of our labour force have to travel to Ottawa.

I'm also concerned about the tourism effect this new maintenance standard would have in the Ottawa area. As we all know, Ottawa has a major activity every year, which is the Winterlude. Winterlude attracts over 250,000 visitors every year. If we are not to continue the standard that we used to have in the past, we are definitely going to be affected economywise.

I have to say, though, yesterday I made a few phone calls in my riding, and I have to congratulate the MTO people for the good maintenance of Highways 17 and 417 yesterday. I just want to make sure we continue maintaining the standard that we have at the present time.

I'm also concerned about the hospital emergencies. Most of our people have to travel to Ottawa whenever it comes to an emergency to visit a hospital. If we are not maintaining the highways like we used to in the past, it could have a major effect in our riding.

I'm sure that this government will take into consideration that in the areas where we don't have public transportation, maintaining of highways is very, very important for those who have to travel a distance to gain their living.

Mr Gravelle: This is an extraordinarily important issue. I'm very pleased that we've had such a good discussion in the Legislature today and I want to certainly thank my colleagues from Algoma-Manitoulin, Sudbury, Kenora, Timiskaming, Prescott and Russell on my side and all our colleagues in the Liberal caucus for supporting us in this bill, and my colleagues also from Lake Nipigon and Sudbury East for their support.

There's no question this is an issue that has certainly galvanized everybody in northern Ontario, but as has been acknowledged over there, this is not an issue that simply affects those in northern Ontario. It's equally important in all parts of the province, as my colleague from Prescott and Russell was trying to say as well.

I think there's been a clear misunderstanding by the members of the government and those who are representing the government today, and I regret that the minister is not here to listen to my remarks. Obviously he doesn't think it's important, but it's clear that he gave some remarks for at least one of the other members to speak from in terms of the position they were taking, and I regret they are not able to speak on their own behalf.

1100

As for the comments by the member for Dufferin-Peel, the most frightening part for me, quite frankly, were the last comments you made, which were that it's better to keep it in regulations than legislation in order to have the flexibility to make reductions, which to me is an acknowledgement that this is going to continue, that the reason you can't support this bill or the government can't support this bill is because you need to have the flexibility to make further reductions.

That's exactly why we put this bill forward, so that we could guarantee—we aren't asking for more money. We're asking that the job be done to standards the minister has day by day said he was going to maintain. "We'll maintain the standards." So we said: "Fine, Minister. We want you to rescind, but if you say you'll maintain standards, these are the standards. Let's put them in the legislation." I find it astonishing that we cannot get full support from the House. I still urge it from all the private members. It's a private member's bill.

FRANCHISES ACT, 1995

LOI DE 1995 SUR LES FRANCHISES

Mr Martin moved second reading of the following bill:

Bill 13, An Act to regulate Franchise Agreements / Projet de loi 13, Loi visant à réglementer les contrats de franchisage.

The Deputy Speaker (Mr Bert Johnson): The member has 10 minutes.

Mr Tony Martin (Sault Ste Marie): I rise today in this House to share a very difficult story that has been unfolding, a relationship story that has been unfolding in this province over the last few years that has indeed some national repercussions.

It's a story that was told by a colleague of mine in the spring of 1994, Mr Jim Wiseman, who brought forth a bill concerning the relationship between franchisers and franchisees in this province. It's a story that pits small business in many significant ways against large business, and the imbalances that are in that relationship and the agreements that are signed, and in the end, the devastation and destruction that happens to many small, well-intentioned entrepreneurs who live and work and operate and contribute in more ways than simply being a businessman or a businessperson in a community across this province.

It wasn't long after I got elected to this place that I received a letter in the mail from some folks who were representing the franchisee industry or organization or community in the province, sharing with me their very genuine and sincere concern re the conditions within which they have to operate and make a living and try and do business in this province, given that, as they said, there was no legislative context within which agreements were signed, information was disclosed, resolutions were had etc.

They told me some very disturbing stories, particularly in subsequent meetings that I had with them, stories of people like your friends and neighbours, perhaps somebody in your family, who, well-intentioned, got into a business by way of a franchise opportunity, invested all of their money, all the money they had made over a number of years, in some instances mortgaged their homes, in some instances borrowed money from other family members and got into debt situations with banks, and then found three, four, five or 10 years down the road, for reasons unknown to themselves—or even if the reasons were known to themselves, there was no provision for challenging those reasons—they lost their business.

They lost their franchise. The rug was pulled from under them. They found themselves flat on their face with no recourse to any resolution mechanism and lost their livelihood, and lost their opportunity to contribute in the ways they very genuinely wanted to, to the community in which they lived, to the community that actually brought them up, gave them their education, gave them their start in life. That was all gone.

In one instance, we had a fellow take over a business that was in his family, that was his father's business. He worked very hard to make a go of it, invested a lot of money, borrowed a lot of money to do the renovations that were required in that store by the franchiser, and then one day—now, today, in fact—finds that he has no more business. Not only does he not have the business that was giving him his livelihood, that was actually going to be that place or that thing that would give him some comfort in his retirement years, but he now found himself in debt up to his eyeballs, and speaking to me in a way that certainly shared with me that he wasn't sure how he was going to resolve this.

Another couple in northern Ontario actually moved from another city to take over a franchise, and worked very hard. They took over a franchise that was struggling, worked very hard, mortgaged their home, bought a new home in the new community, put in, as most small businessmen do, we know—and franchisees particularly, in this instance—50, 60, 80 hours a week, just every waking moment, worrying about the business, and just recently now have been given a notice that their agreement is not going to be renewed. So having moved their family, having sold their house, having invested all their money and put in all that time and energy that was required to make a go of this business, they're told, for no reason that's been given to them or presented to them, that their agreement is not going to be renewed. They're in debt and they're in terrible shape.

In going through the material that Mr Wiseman, the previous member for Durham West, shared with me as he put together the bill that he presented to this House, which actually got through second reading and was before the House, still active, when the election was called, some of the information that I read in there as well is quite disconcerting and actually tragic. I'm just going to share a couple of paragraphs for you so that you understand the human suffering that is being caused simply because there is no legislative framework within which this type of business operates so that resolutions can be resolved in a way that's just and fair and equitable.

Here's one. It says:

"In the meantime, I have been unable to find steady employment, have lost our home, savings and pension plans. I will be filing for personal bankruptcy later this month as there really is no point escaping the fact that even if I win my action"—against the company that they're taking action against—"there would not be sufficient moneys, funds left over to clear my indebtedness completely."

Here's another one, a letter to Mr Wiseman:

"The result of this takeover was, and still is, devastating. My immediate family, comprised of my wife, two sisters and brother-in-law, are all affected through total loss of income, mortgages recently placed on our homes, capital injected into business, personal guarantees on equipment purchases, as well as personal guarantees on job performance bonding. We have literally watched our futures disappear and we are striving day to day to put our futures back together again."

This is the story I tell this morning, and the legislation I bring forward today will go a long way, in the opinion of both franchisers and franchisees who have worked with this, through a report that was given to the minister on August 30 that they developed on the initiative of the previous Minister and Ministry of Consumer and Commercial Relations, who have recommended that one way of resolving this problem—in fact, however you resolve this problem, in the end, there will be some legislation required. So the legislation that I present this morning will go a way to resolving at least three of the issues that have been shared with me as problematic in this interesting relationship.

This act provides a comprehensive scheme to regulate the entering into of franchise agreements and the ongoing relationship between the franchiser and the franchisee. It doesn't give anything special to any one side or the other. It doesn't tip the playing field in anybody's direction. All it does is try to set a level playing field to which both parties can come and share information and have some resolution to their disagreements.

1110

This act calls for disclosure of information at the beginning of the agreement. It acts for more control over the workplace and the investment that's made, and calls for dispute resolution, something that I think we all would see as reasonable and not out of sorts.

What is it specifically that the franchisees are having difficulty with? What is the cause of all of this? Let me

just share with you a couple of the concerns they have raised with me.

Most disputes with franchisees involve allegations of improper disclosure. This act will answer that.

Problems arise when a contract does not allow sufficient time to recover the initial investment and provide a reasonable return for the franchisee's hard work and money.

Lack of support can be a breach of contract. Some franchisees have sued franchisers for failing to provide the level of pre- and post-opening support they were led to expect.

The list goes on and on of ways the franchisee feels he doesn't have a fair shake or get a fair shake in trying to make a go of this business he has invested all of his money, all of his effort, all of his energy in so that he can contribute in the ways that he wants to, to his own livelihood, to the livelihood of the community in which he belongs, not to speak of the livelihood of his family, and to put something in place that will be there for him ultimately when he retires or decides to move on, or will have something to pass on perhaps to his children.

In the context we have today, there is no legislative framework to ensure this will happen. So I ask all the members of the House to listen carefully to the discussion and the argument this morning and hopefully find it in your wisdom to support it.

Mr Jim Flaherty (Durham Centre): It gives me great pleasure to rise for the first time in this place as the parliamentary assistant to the Minister of Consumer and Commercial Relations.

First of all, I would like to say that the Ministry of Consumer and Commercial Relations appreciates the intent of Bill 13 to promote fair dealing between franchisers and franchisees in Ontario. Our government is aware of some problems that currently exist between franchisees and franchisers in Ontario. This is important to me because a thriving franchise sector means more jobs in Ontario and contributes to the government's objective of increased economic growth. The franchise sector alone accounts for about \$45 billion in sales annually in Ontario.

In 1994, a highly publicized dispute between a Toronto-based franchiser and its franchisees was one of the factors that prompted the Ministry of Consumer and Commercial Relations to establish a team called the Franchise Sector Working Team, comprised of representatives from both franchisers and franchisees. Ministry representatives took part as facilitators.

This Franchise Sector Working Team's Report on Franchising, which is what the report was called, was presented to the minister last August; that is, August of this year. The report is a good first step towards a sound relationship between franchisees and franchisers. The report identifies several areas of consensus reached by both franchisers and franchisees, including pre-sale disclosure information by all franchisers and franchisees; secondly, a code of ethics; and thirdly, provision for alternative dispute resolution.

Very importantly, the team has agreed that problems associated with franchising can best be dealt with in an industry self-managed environment, rather than through full-scale government regulation. The fact that agreement could be reached on such important areas is an achievement in itself.

We believe that more time is needed to assess the recommendations contained in the report. Although it is agreed that there is a need to address the problems associated with the franchise sector, we are not convinced this bill is the most effective way of doing so.

The bottom line is that this government will not support the passing of a bill that will increase onerous government regulations and red tape. The bill before the House, while well intended, will first of all inhibit job creation; secondly, it will inflict an onerous regulatory regime not only on the government but also on the private sector; and thirdly, it will produce reams of red tape. It is for these reasons that this bill is opposed.

Mr Bruce Crozier (Essex South): I appreciate the opportunity to speak to this private member's bill this morning, and I do so because I think for all those things that we do in the Legislature, one of the more important things is the opportunity for private members to present their own bills. It were only my wish that these private members' bills were more successful, but perhaps we'll see that in the future.

To add to the comments of the introduction of the bill and to the speaker from the government side, franchising, as we all know, is big business in Ontario. Certainly in Canada, as a matter of fact, half of the franchising is done in the province of Ontario. We too recognize the need for franchise legislation. Carman McClelland, the predecessor of mine as the Consumer and Commercial Relations critic, also had prepared some work in this area.

It was interesting to me that the member for Sault Ste Marie who introduced this bill wanted to emphasize this morning the sad stories that there have been in the franchise industry, and I agree. That's one of the areas where we should be very careful, that we protect the franchisee because more often than not they have less expertise, they have less money, less resources when they're entering into these agreements.

On the other side, I think we have to uphold that long-standing tradition of buyer beware, and that we have to give the opportunity for the franchiser and the franchisee to reach their agreements and to have an understanding of how they're going to conduct business. But like the previous speaker, I don't feel that we can be too intrusive, because we do like to see the free market system operate as best it can.

We do know as well that there is franchise legislation in other jurisdictions in the Dominion of Canada, most recently I guess would be in the province of Alberta, and to some extent I suspect that this piece of legislation was patterned to some degree after that.

As was mentioned, this actually is much the same as a bill that was introduced in, I think it was, the third session of the previous Parliament, and that unfortunately didn't even pass first reading. So at least we're able to discuss this at some length.

Also was mentioned—and I guess that's the problem when you're the third person to speak on something like this. We all put our notes together separately and some of us come up with the same information, but I too have the franchise sector working team's report that was given to the minister in August 1995. There was a previous report, *The Need for Franchise Legislation in Ontario*, that was prepared for the Ministry of Consumer and Commercial Relations by the Canadian Federation of Independent Grocers, and that was back in November 1993.

I think there has been good work done in both of these reports. I expect that the government will be coming forward with some legislation because, with all due respect to my friend from Sault Ste Marie, as has been said, they're not going to support it, so I think we've already been told we're out of luck. But in any case, perhaps we can give them some good advice.

In concluding my remarks, I would like to say that I too agree that this bill as it's presented today is a bit onerous. It's heavily weighted on the side of using the regulatory powers of the Ontario Securities Commission and is onerous in the areas of its compliance and enforcement mechanisms. I would suggest, as I think the government speaker has, that what we need is a balance of legislation that protects the interests of the franchisees, who in most cases are small business people, and yet that is not too regulatory and has too much red tape, so that in the end I suppose what we would all like is some sort of legislation that would be in a sense self-regulatory. I hope when we come to vote on this that those who feel that we need some sort of legislation in this area—if this is the bill that satisfies their need—support it.

But further to that, as we've already been warned by the government that it's not supporting it and in all likelihood it won't pass second reading, I would hope that the government then will come forward with that balanced legislation that's not too intrusive but still gives protection for the smaller franchisees.

1120

Mr Rosario Marchese (Fort York): It's a pleasure for me to stand today to support the bill presented by my colleague from Sault Ste Marie. I think it's a good bill and I think it's an important bill that should pass. I want to remind the Conservative members on the other side that we passed 16 private members' bills during the last government session. That was important because it recognized the fact that individuals bring forward private members' bills that often are good and should be supported. We hope that what we did will be continued by the other side. I hope that they will not take what we did too lightly and that they will pursue the same goals as they did in opposition this time around as we introduce private members' bills.

I want to say with respect to this that we have created a Fort York Small Business Working Group for the last three years and we have had ongoing meetings almost biweekly talking about the problems that small business face. One of the biggest things that they face that we have talked about that we're trying to tackle is the fact that they face continually a problem with banks and that banks are the ones who are stifling growth because as

they go to them for credit, they often don't get it. And 85% of all the jobs are created by small business people and they get a disproportionate share from the banks in order to be able to create wealth in this society. It's a tragedy, but it's something that we continue to work on in a small way in Fort York. But that is one of the biggest problems.

One of the other matters that was raised while we dealt with some of the problems that they face was the issue of franchisees and all of the multitude of barriers that they face in dealing with the franchisers. So we dealt with that and we talked to member Jim Wilson who introduced this bill prior to the member for Sault Ste Marie. I think what he introduced was good then and it's still good now.

Part of the problem that the franchisee faces is having to deal with a very powerful franchiser. It's a case of small versus big. It's a case of the little guy against the big guy. But these are the people who work hard—this is a big industry—and these are the people who are trying to create in their own way wealth not just for themselves but for our society, and they need, in my view, protection that they don't have at the moment. They're seeking a dream. So you can picture these people sitting down with the franchiser saying: "Well, I want to get into this. I want to be able to make a living doing this and it seems good," and the franchiser saying: "Yes, of course it is. We want you to do well and if you don't do well we won't do well. We want you to operate that business. We wouldn't put you in a position where you would fail because if you fail we, the franchiser, will fail."

Now imagine that kind of talk. People submit to that. You listen to that as a franchisee getting into the business and you say: "He doesn't want me to fail. He wants me to succeed because if he fails I fail." Therefore, it all sounds rosy. And it does sound rosy in the beginning, but it gets very complicated as you go along. That's why this bill was introduced before and is being reintroduced now, because we know there are predatory practices that are being practised by the franchiser that need to be dealt with.

The former Minister of Consumer and Commercial Relations, Marilyn Churley, attempted to deal with this by bringing forward a group of stakeholders to attempt to give answers to this question. Having done that, we would have been ready as a government to have moved on that, because I feel that we need to move on this. So they have the report. They hopefully, in my view, will act on the report. Not to act on it would be a tragedy.

Alberta has it. It's a Reform Party that we've got there, much similar to this one. They've done it. If Alberta can do it, Ontario can do it. If Alberta, of all places, feels that franchisees need protection, surely the same party here with the same reform-minded politics can do the same. Surely this party will support small business in the same way that Alberta has done; and if it doesn't, you need to question why. Who are they supporting? Are they supporting the small business person, or are they supporting the big business person, because that's the way it seems from what I hear from the member for Essex South who has spoken.

We have many, many problems here to deal with. We have uncompetitive pricing, products that are supplied at terms or prices which place the franchisee at a competitive disadvantage to others in the industry. We have breach of territory. If a franchiser reduces or oversells exclusive marketing areas, the franchisees' sales may be affected. We have unnecessary renovations and unreasonable costs which the franchisees are subjected to. We have unreasonable payments that they have to meet. Royalty rates may be set low deliberately, but they're accompanied by a requirement that supplies must be purchased from the franchiser at inflated prices.

This is a small list of complaints that I bring, but I know that my friend from Sault Ste Marie has brought other complaints and problems and barriers they face in order to make a living. These people work night and day, 60, 70, 80 hours trying to make a living, but then they face the difficulties of having to deal with a franchiser that can pull the plug at any moment.

The letter that my colleague the member for Sault Ste Marie was reading earlier on—and it's not here in front of me—the plug was pulled away from them. They said, "You no longer have the franchise." How do you deal with that? Nine years of work—he, his wife and other family members—and all of a sudden the franchiser said, "We're sorry, we're pulling the plug." How do you deal with that? We need protections.

The Liberal member and the Conservative member say: "Oh, we don't need to inflict a regulatory regime on these people. We don't need reams of red tape; we need self-management. It cannot be too intrusive." "It's too onerous in compliance mechanism," the Liberal member says.

If that is true, what you are doing is, you're abandoning the small franchisee. You're abandoning the little guy, and you're saying this: "Self-compliance; we'll need to find different ways to deal with it. Let them in their own way deal with this. Yes, we know it's painful but eventually they will come up with a system without the onerous regulation to deal with it."

I argue, you can't do it. It hasn't worked, and what you're proposing is not a solution. What we need is regulation to protect the little guy, the small business person who works 70, 80 hours a week. The regulations we're proposing are by no means a complete solution, but they move towards it; they move towards responding to the problems that little guy has.

If you don't do it, you're abandoning thousands and thousands of people in Ontario who operate these small franchisees and are at the mercy of the franchiser. I plead with the members to look at this. I plead with the members who are looking at this not to simply get a response from the minister that says, "This is your response in the House," but to look at this bill carefully, because you will find that what's here is very reasonable.

I hope the members will support the member for Sault Ste Marie, who has introduced this bill today.

1130

Mr Rob Sampson (Mississauga West): First of all, I want to congratulate the member for Sault Ste Marie for

the considerable amount of work that he's put in putting this issue and this bill to the House today. It certainly reflects my honourable friend's commitment to his constituents and his belief that small businesses are a very crucial factor of the Ontario economy. I too wish to speak to this particular bill, not only as the parliamentary assistant for financial institutions to the Minister of Finance, but as a member of this House who is also concerned about small business in Ontario and how we must rely upon the small business sector to generate the economic growth this province truly needs and deserves.

I'd like to first of all focus on my concerns with Bill 13 as it relates to the reference to the Ontario Securities Commission, which of course reports to the Minister of Finance, and then I'll go on and address the other pieces of legislation I think are relevant.

Part II of Bill 13 would require companies selling franchises in Ontario not only to file a prospectus but to register the salespersons with the Ontario Securities Commission. Now, this is an added responsibility to be placed on the Ontario Securities Commission, which by the way is principally involved in the regulation of public stock transfers and capital market transactions, not joint ventures between business partners, which is truly what a franchiser-franchisee relationship is; it's a business transaction, a joint venture business transaction that has been agreed to by two parties.

The bill does not speak to the resources or the skill sets that would be required of the commission in order to deal with the paper flow and information flow that is proposed by the bill. Frankly, as an additional concern, it doesn't mention the time and expense—more importantly, the expense—required by the commission in order to deal with this activity. Now, in times of serious economic constraint I think that is a fairly serious omission that must be dealt with.

In general terms, Bill 13 appears to be modelled after the Alberta Franchises Act of 1980. After several years of experience in that province, and a number of reviews, it was found that the rules in the legislation, the Alberta Franchises Act of 1980, were in fact too intrusive and curtailed investment, investment that was designed, supposedly, to create jobs in the crucial small business sector of that province. So Alberta put together a working group of franchisers, franchisees and government representatives, and agreed through a series of meetings that some changes needed to be made. On November 1, 1995, I'm led to believe, the filing of prospectuses and the registration of salespeople was no longer required in Alberta, and a large degree of the governance relationship between the franchiser and the franchisee was delegated under the new Alberta legislation to a self-regulating entity, not the Alberta Securities Commission but a self-regulating entity.

So, indeed, Alberta has tried the experiment, as my friend the member for Fork York has suggested. They indeed did try the experiment, and it didn't work, so they had to change it. They had to change it to return the regulation of the industry, the regulation of the business relationship between the franchiser and the franchisee, to the industry.

In the Common Sense Revolution this government committed to removing unnecessary regulation that hindered the growth of business. That's a crucial component of our plan to get this province working again.

As a former employee of a provider of leveraged capital to the small business sector in Ontario, I am concerned that the attempts to regulate the franchiser-franchisee relationship may in fact hinder both parties in getting access to the needed capital to do business. Indeed, much of the information required by the bill is unlikely to be meaningful data to any one of the parties. I know; I've asked for it. What we need to do is let investors decide the information flow that's required to reach an investment decision.

What investors want, frankly, are the factors to be determined on their own accord, not by some government regulation, not by some government legislation. We in this House must be extremely careful not to become party to these investment decisions determined by this Legislature but in fact having application upon two people who are deciding to get into business together.

I should draw the House's attention to the fact that even the business community in Ontario itself is uncertain that regulation as proposed by this particular bill is needed. I understand that the Canadian Federation of Independent Business has conducted a survey of its many thousands of members and found, of those who responded, 59% do not support the regulation of the franchiser-franchisee relationship.

For these reasons, the impact upon the Ontario Securities Commission being one that affects the Ministry of Finance, but more specifically, coming from the private sector, coming from the sector that provided and does continue to provide a significant amount of capital to the franchising business in this province, I'm unable to support this bill as it is currently tabled. I would go so far as to say I think certain provisions of it would injure the development of the franchising business in this province.

Mr John Gerretsen (Kingston and The Islands): I suppose the first matter that could be raised this morning—and we heard from both of the parliamentary assistants that the ministry is looking at bringing in potential legislation in this area—is the question, when is it coming?

Having dealt with people in my business over the years that were both franchisers and franchisees, I can tell you that there is a problem in this area. Certainly, I too have to congratulate the member for Sault Ste Marie in bringing this matter forward. All one has to do is walk around the downtowns of the province of Ontario, walk through various malls, and you very quickly get the impression that a significant amount, if not the majority, of the retail business going on in this province is being done on a franchise basis, and there are some significant problems in the area.

It seems to me from the debate that we've heard this morning we're either talking about intrusive government intervention on the one side, which is certainly what this bill recommends, and the much slower self-regulatory approach as has been advocated by the Conservatives.

First of all, let me say that I wish that I could support this particular bill, but I cannot. There are few enough of us on this side of the House to realize that we do have to support one another from time to time. However, this is, once again, a situation where I believe we have to find a balance in between the rights of the franchisers and the rights of the franchisees.

Most of the matters that the member for Sault Ste Marie has referred to this morning are very sad situations where people lose their life's investment after maybe having spent five or 10 years in trying to build up a business etc. But when we get into the details, on most of the items that he refers to one could very easily take the position that in a lot of these situations people just made bad business decisions. I'm not sure whether government should be involved in protecting people from making bad business decisions. That's number one.

They're talking about improper disclosure. I would say that if a proper contract was drawn up at the outset, if there was improper disclosure then that's a cause of action right there. Why doesn't the person take the matter to the courts? After all, that's what they're there for.

Also, the comment was made that in a number of situations there's no time for the franchisee to recover the initial investment that they may have made. I assume that's because the franchise agreements are for too short a duration. That is a decision, quite frankly, that those people who are going into that business have to take into account—the length of the franchise agreement that's offered to them—when they make that investment decision. If they have miscalculated that somehow and they haven't calculated in the amount of time that's required in order to pay back the initial investment, I'm not so sure whether the government should necessarily step in and protect them in cases like that.

1140

On the last matter that he mentioned, about there not being support there that quite often is contained in these franchise agreements, in opening up, in promotional matters etc, I will totally agree. These are usually matters that arise almost in the heat of the moment, immediately before a franchise is opened, and all sorts of support has either been promised and may even have been contractually signed for and quite often is not there. Quite often the independent businessperson is left with the position that, having invested as much as they do, they go ahead or they somehow back out of it and in effect walk away from their investment. Certainly there ought to be a mechanism in place to ensure that the small investor—and most franchisees are, initially—is protected from usually the much larger multinational franchiser.

I'm a new member to this House, and I maybe approached this bill a little bit differently. When I got a copy of it the other day, I went through it and I thought, "Well, what makes sense, and what doesn't make sense?" I must admit that having the Ontario Securities Commission deal with this matter didn't seem to make sense to me. Having this 14-day filing requirement or disclosure requirement seems to me, in most situations, almost an extraordinary length of time, because usually people want to make a quick decision. They ought to have all the

information in front of them, there's no question about it, but on the other hand, to wait 14 days, during that period of time there may have been two or three other people who have come forward and want to get involved in that particular line of business as well. It seems to me that that's kind of an onerous requirement.

I'm not so sure that the mediation process that is described in the bill is necessarily a good one. Mediation does work in certain areas, but in a situation where usually the franchiser has the greater ability to wait the situation out, I'm not sure whether the mediation process in effect doesn't help the wrong party in situations like this. Perhaps the much better way is to have the matter resolved either within a court of competent jurisdiction or through some mandatory arbitration, compulsory arbitration, so that the matter can be dealt with immediately, particularly the smaller items about which usually there may be quite a bit of dispute that arises from time to time in these franchise situations.

The member for Durham Centre mentioned the fact that this bill would inhibit job creation. It reminds me of some of the other comments that have been made in this House that have been freely thrown out etc. I'm not sure whether the bill will do anything, either inhibit job creation or create jobs, for that matter. It has just been a phrase that has been thrown out there to go along with the other rhetoric, I suppose.

It's true that there have been some changes proposed in Alberta, as the member for Mississauga West has mentioned, which obviously indicates that the bill as proposed, which I understand to be the Alberta bill, didn't work there to the satisfaction level that people were looking for and that perhaps those kind of amendments ought to be placed in any Ontario legislation that may come along.

I think where the legislation should ultimately end up is to recognize the fact that in situations like this there ought to be full public disclosure, no question about it. But there also has to be built in a "buyer beware" component. That is, after all, what made this province great, as far as I'm concerned—

Interjection.

Mr Gerretsen: Oh, look, it's true that there are many people out there, many small business people who have made, particularly in the last little while, bad business decisions. The economy has been against them etc, but on the other hand it is the idea that somebody can start with nothing and still become something in this province that I think is something we should hold on to. With too much government regulation and too much government interference, that simply will not happen.

My question again is, as I wind up my dissertation, to the members from the government who have spoken this morning: Could they give us some clear indication as to when exactly we can expect to see some government-proposed legislation on this matter?

Mr Peter Kormos (Welland-Thorold): I've listened, obviously, with great care to the discussion of this Bill 13 presented by my colleague and friend Tony Martin, the member for Sault Ste Marie, who shows his typical

commitment to the little person, the small people, the vulnerable people in his presentation of this bill.

I'm going to tell you right now that I'm going to be supporting this bill, and I'll tell you as well, notwithstanding the views that have been expressed around this forum, I exhort my colleagues to support this bill. This is second reading. That means you support the concept in principle.

Everybody, notwithstanding their bias for or against a stronger or weaker regulatory regime, seems to be consistent with each other in suggesting that the franchisees in this province deserve some type of protection, some type of process whereby they can be guaranteed a full disclosure, because "caveat emptor" can only take effect when there is full disclosure, when there's a right to full disclosure, when it's a legislated requirement that there be full disclosure. Otherwise "caveat emptor" is a defence for every bunko artist and perpetrator of fraud that wants to walk the continent, never mind the country or the province.

Let's face it, most franchisers are responsible franchisers. When you go down to the University Avenue courthouse and take a look at who's involved in litigation, you don't see names like Tim Horton. You don't see some of the stable, responsible franchisers, but you see Pizza Pizza, Jumbo Video, Petro-Canada Certigard, Coffee Time, Baker's Dozen, Second Cup, Mister C's, Yogen Früz. It's these franchisers that franchisees have to be protected from.

Let's understand who the franchisees are, especially in this economic climate. The franchisees, to a large extent—and this is a new phenomenon, a post-1980s phenomenon—have a tendency to be new Canadians, also tend to be people in their more mature years, their late 40s, early 50s, who have been displaced from industry or the business world because of the downsizing that's occurring there, and who take their last paycheque, that golden handshake if they're fortunate enough to have one, to invest in a business endeavour, people who are not entrepreneurs per se, people who never anticipated having to enter the somewhat risky world of free enterprise.

Let's clear up another myth, and Bates addressed that in a study some time ago, and that's the 90% myth. The fact is that all the relevant studies, including that of Bates, indicate that there's a higher failure rate among franchises and franchisees than there is among non-franchised business starts.

Let's also understand that this issue—although I give Jim Wiseman, a member in the last government, credit, along with Tony Martin, for bringing the bill forward again—did not commence with Jim Wiseman. Indeed, it's very much a Conservative issue. It was back in 1970 that then-Minister Allan Lawrence, recognizing this new phenomenon, this new relationship—and you see, the problem is that there's a real vacuum in our legislative regime to deal with franchisers and franchisees. They're neither fish nor fowl. The franchisee is not an employee; the franchisee is not a consumer such that he or she is entitled to protection of however modest our consumer protection legislation is in this province. The franchisee,

as well, is not an investor. The franchisee is a unique legal entity that justifies the implementation of appropriate legislation.

1150

Allan Lawrence recognized that back in 1970 when he established the Grange commission, the Grange inquiry, Mr Justice Grange as you'll recall. Mr Justice Grange in his report made some 14 very tough recommendations, recommendations to a large part replicated in this bill. And Arthur Wishart, who replaced Allan Lawrence as the Minister of Financial and Commercial Affairs—and not inappropriately from the same riding as my friend Tony Martin—Arthur Wishart, a good member of this Legislature, a real Tory concerned about the little guy, promised that there would be legislation in response to the 14 tough recommendations of the Grange report.

Notwithstanding the Kleining of Alberta under the regulation of franchiser-franchisee relationships and the requirement of full disclosure and registry, the fact is, Pizza Pizza with a scumbag like Lorn Austin, a convicted fraud artist described by a Florida prosecutor as "one of the most prolific white-collar criminals I have prosecuted in my career, Lorn Austin," a senior management person for Pizza Pizza—why, that bit of slime who has victimized so many young families, young investors, young new Canadians, through the unconscionable actions of Pizza Pizza—the Alberta Securities Commission indicated that Pizza Pizza could never have registered in Alberta with a character like Lorn Austin, a bunco artist, a thief, in a senior management position.

This government talks about protecting small business people and, by God, promoting them and sustaining them and supporting them and giving them the assistance they need. Well, the victims of the unconscionable franchiser scams are those very people.

So I say this, Speaker, and I know you'll agree because you've been around here for a good chunk of time: Let this bill go to second reading. The Tories have enough numbers to kill the bill on third reading if they wish. Let it go to second reading. Let it be dealt with in committee so we can hear from the public, so we can hear from the victims and, by God—I doubt if we'll hear from the perpetrators—so we can hear from the real small business people of this province.

Mr David Tilson (Dufferin-Peel): The member for Sault Ste Marie has brought forward a bill that was introduced by Mr Wiseman. Certainly all you have to do is look at the proceedings in the courts, the amount of litigation that's been going on. The former speaker just spoke about a certain amount of litigation that's been going on in the province of Ontario. You talk to the average lawyer in this province who advises people, franchisees, on signing agreements, and most of them say: "Don't sign it because they're so awful. Just don't sign it." Of course, they want to get into the business and what are they going to do? So they sign these things and they get into terrible amounts of trouble.

I understand the initiative of the bill, and this is not the first time this has been tried. Bill 45, I believe, was introduced in the province of Alberta and that's been mentioned by some other speakers. As I understand it,

Bill 13 appears to follow the format of Bill 45, the Alberta bill. You hear news reports from the province of Alberta and it appeared that a number of franchises did not start in that province because they were concerned about that piece of legislation. It never did pass—I don't think it ever passed—but they were nervous about it and business stayed away.

So the province of Alberta introduced a new bill, which did not follow Bill 45 and certainly isn't going to follow Bill 13. It was introduced in 1995 and this is certainly a strong departure from the existing legislation of the province of Alberta. I believe the member should be looking at the Alberta legislation. You look where other provinces have made errors before you create some of our own.

Registration and review of the disclosure of documents by the Alberta Securities Commission were removed. The new act also includes a requirement for fair dealing and the establishment of a body for industry self-regulation. Alberta's 1980 Franchises Act was repealed when the new franchises act came into effect. I could stand corrected; perhaps Bill 45 was never enacted.

In any event, the point that I'm trying to make for the member for Sault Ste Marie is that Bill 45 was proven in Alberta to be ineffective. It wasn't what they wanted. The member from Kingston, I believe, spoke about how he was a little nervous about the principle of self-regulation. I think you've got to look at that.

We've just gone through five years when every time the government passed a piece of legislation, we had a commission; we created a bureaucracy. We can't afford these bureaucracies, and of course this piece of legislation, Bill 13, will require the Ontario Securities Commission to administer the new act. That's going to need more bureaucracy for them, although, interestingly, the Ontario Securities Commission has advised that since the bill doesn't involve the trading of public stock in a capital market, it does not meet the criteria of the Ontario Securities Commission and, as such, would not be considered as falling under the purview of the Ontario Securities Commission. So we have a problem there.

I will say that I agree with some of the comments made by the other speakers and I'm not going to repeat them, other than to say that it is intrusive. It is going to create more of an expense for the people of Ontario. Hopefully the legislation, whether it passes or whether it doesn't pass second reading, will encourage the Minister of Consumer and Commercial Relations to introduce government legislation, and perhaps some of his principles can be incorporated. But I simply will say to him that it was tried in Alberta. It didn't work, and I'm not going to support a bill that didn't work there when it appears that it's not going to work in the province of Ontario either.

Mr Martin: In bringing this bill forward this morning, I hoped to achieve a couple of things. Obviously, I wanted to see it pass so that we could have that table around which all of us could gather in the process that follows second reading before we had third reading to have the discussion.

If there are changes that you suggest need to be made, then let's make them, but let's make them now, let's make it happen now, because there are people out there who have been hurt, who are waiting for some resolution, who are being hurt as we speak, who are into major disputes with their franchiser over issues that they have a difficult time understanding. There are people out there who are going to be sucked into this vortex in the next year—six months to a year—that we should be concerned about and wanting to put something in place that will provide some protection.

So I would hope, first of all, that in the spirit of private members' hour, and trying to give it some oomph and some meaning in this place that you would see fit to support this and, as my colleague from Welland-Thorold said, in principle at least, allow it to be discussed further, in third reading. If you don't like it at that point, you can defeat it.

The other thing that I wanted to achieve this morning was the raising of this issue again, to let the people in this House and across Ontario who are listening and who may hear of it via the reports the press will print, that this issue has not gone away, that it's still a difficulty out there for small business, for little people who enter into franchise agreements, and they need help. They need some support. They need some protection.

I want to thank the members who participated in the discussion and took time to prepare and to participate and contribute—the Conservatives, the Liberals and my own colleagues—this morning. I again exhort you to please help me with this and support it when it comes to a vote.

PUBLIC TRANSPORTATION
AND HIGHWAY IMPROVEMENT
AMENDMENT ACT, 1995

LOI DE 1995 MODIFIANT LA LOI
SUR L'AMÉNAGEMENT DES VOIES PUBLIQUES
ET DES TRANSPORTS EN COMMUN

The Speaker (Hon Allan K. McLean): We will deal with ballot item number 5, standing in the name of Mr Gravelle. If there's any member opposed to a vote taking place, would they please rise.

Seeing none, all those in favour of second reading of Mr Gravelle's bill, say "aye."

All those opposed, say "nay."

In my opinion, the nays have it.

FRANCHISES ACT, 1995

LOI DE 1995 SUR LES FRANCHISES

The Speaker (Hon Allan K. McLean): We'll deal with ballot item number 6, standing in the name of Mr Martin. If there's any member opposed to a vote taking place on that ballot item, would they rise?

Seeing none, all those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Call in the members. A five-minute bell.

The division bells rang from 1201 to 1206.

PUBLIC TRANSPORTATION
AND HIGHWAY IMPROVEMENT
AMENDMENT ACT, 1995

LOI DE 1995 MODIFIANT LA LOI
SUR L'AMÉNAGEMENT DES VOIES PUBLIQUES
ET DES TRANSPORTS EN COMMUN

The Speaker (Hon Allan K. McLean): All those in favour of Mr Gravelle's bill will please rise and remain standing.

Ayes

Agostino, Dominic	Gerretsen, John	Miclash, Frank
Bartolucci, Rick	Grandmaître, Bernard	Patten, Richard
Bisson, Gilles	Gravelle, Michael	Phillips, Gerry
Boyd, Marion	Hampton, Howard	Pouliot, Gilles
Bradley, James J.	Kormos, Peter	Pupatello, Sandra
Caplan, Elinor	Kwinter, Monte	Ramsay, David
Castrilli, Annamarie	Lalonde, Jean-Marc	Silipo, Tony
Churley, Marilyn	Lankin, Frances	Wildman, Bud
Colle, Mike	Marchese, Rosario	Wood, Len
Cordiano, Joseph	Martel, Shelley	
Crozier, Bruce	Martin, Tony	

The Speaker: All those opposed will please rise.

Nays

Arnott, Ted	Fox, Gary	Munro, Julia
Baird, John R.	Galt, Doug	Ouellette, Jerry J.
Barrett, Toby	Gilchrist, Steve	Rollins, E.J. Douglas
Bassett, Isabel	Grimmett, Bill	Sampson, Rob
Brown, Jim	Guzzo, Garry J.	Shea, Derwyn
Carroll, Jack	Hastings, John	Sheehan, Frank
Chudleigh, Ted	Johnson, Bert	Tilson, David
Danford, Harry	Johnson, Ron	Turnbull, David
Doyle, Ed	Klees, Frank	Wettlaufer, Wayne
Fisher, Barbara	Martiniuk, Gerry	Wood, Bob
Flaherty, Jim	Maves, Bart	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 31; the nays 32.

The Speaker: I declare the motion lost.

FRANCHISES ACT, 1995

LOI DE 1995 SUR LES FRANCHISES

The Speaker (Hon Allan K. McLean): We will now vote on ballot item number 6 standing in the name of Mr Martin.

All those in favour of Mr Martin's bill will please rise and remaining standing.

Ayes

Agostino, Dominic	Grandmaître, Bernard	Patten, Richard
Bartolucci, Rick	Gravelle, Michael	Phillips, Gerry
Bisson, Gilles	Hampton, Howard	Pouliot, Gilles
Boyd, Marion	Kormos, Peter	Pupatello, Sandra
Bradley, James J.	Lalonde, Jean-Marc	Ramsay, David
Churley, Marilyn	Lankin, Frances	Silipo, Tony
Colle, Mike	Marchese, Rosario	Wildman, Bud
Cordiano, Joseph	Martel, Shelley	Wood, Len
Crozier, Bruce	Martin, Tony	

The Speaker: All those opposed will please rise and remain standing.

Nays

Arnott, Ted	Fox, Gary	Miclash, Frank
Baird, John R.	Galt, Doug	Munro, Julia
Barrett, Toby	Gerretsen, John	Ouellette, Jerry J.
Bassett, Isabel	Gilchrist, Steve	Rollins, E.J. Douglas
Brown, Jim	Grimmett, Bill	Sampson, Rob
Caplan, Elinor	Guzzo, Garry J.	Shea, Derwyn
Carroll, Jack	Hastings, John	Sheehan, Frank
Castrilli, Annamarie	Johnson, Bert	Tilson, David
Chudleigh, Ted	Johnson, Ron	Turnbull, David
Danford, Harry	Klees, Frank	Wettlaufer, Wayne
Doyle, Ed	Kwinter, Monte	Wood, Bob
Fisher, Barbara	Martiniuk, Gerry	
Flaherty, Jim	Maves, Bart	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 26; the nays 37.

The Speaker: I declare the motion lost. It being past 12 o'clock, this House recesses until 1:30 of the clock this afternoon.

The House recessed from 1212 to 1330.

MEMBERS' STATEMENTS

TOURISM

Mr Frank Miclash (Kenora): Tourism in northern Ontario is a year-round business, with boating, camping, snowmobiling, hunting, fishing and seasonal cottaging, among others, being extremely important activities. The economic stimulation that tourism creates in northern Ontario is significant in every community throughout the north, and the economic spinoffs of tourism in our region affect all northerners.

I had the opportunity to attend the Northern Ontario Tourist Outfitters Association convention in Kenora this past weekend, and their discussions reinforced my thoughts that there is a great deal of work that needs to be done to fully recognize the potential that the tourism sector has as an economic development tool in the north.

While most of the work has to be done by the private sector, it is obvious that several critical actions must first be taken by government. Government must get out of the way of private businesses. It must clear the path by reducing government-mandated costs and paperwork. Our highways and airports must be maintained and improved so that visitors can get to our region. Consumer costs, including costs for gasoline and gasoline taxes in the north, must be reduced to make our region more attractive for tourists. Government must take a more proactive role in promoting the north as a tourist destination as well as promoting the expansion of new tourism initiatives such as snowmobile tourism, eco-tourism, video lottery terminals and casinos.

While this list is not exhaustive, it sets out the right direction government must follow in order to allow the tourism industry in the north to live up to its potential.

VOLUNTEERS

Mr Howard Hampton (Rainy River): In the throne speech the government went on at some length about how volunteers had to assume a greater role in communities across Ontario, how volunteer organizations at the community level would have to pick up the pieces after

funding was cut to education, to community services, to women's centres, to family and children's services.

People in my part of the province were willing to take up the challenge, but then they found in the three largest communities in northwestern Ontario, principally Dryden, Kenora and Fort Frances, that the funding was also cut for the volunteer centres, those centres that work in terms of providing literacy training, that do the work in terms of working with senior citizens to make sure they have access to services that aren't provided by some sort of organized institution. All three community volunteer centres, in Fort Frances, in Kenora and in Dryden, had all of their funding cut.

People in those communities are wondering: They're willing to go out and work with the private sector, but how do you work with the private sector when you can't afford to pay the rent at your volunteer centre? How do you work with the private sector when you can't afford to have a telephone? How do you work with the private sector to raise community money to organize a volunteer effort when you can't have somebody to answer that telephone?

There is a bit of a cruel hoax going on here. The government says, "Let volunteers do it," and then takes away the money that would allow volunteer centres to operate.

HENRY OLIVERIA

Mr Carl DeFaria (Mississauga East): It is my privilege to congratulate two exceptional individuals from the city of Mississauga. Early in October, Henry Oliveria, operator of O'Henry Janitorial Services, and his assistant, Paulo Vargas, noticed a mislaid Loomis bag near the automated teller machine at the bank they were cleaning. They immediately returned the bag containing \$54,000 in cash to the appropriate authorities. The outstanding honesty that these two men displayed in this situation deserves to be publicly commended.

This is the second time in his cleaning career that Henry found and returned a bag of money to his employer. The first time was seven years ago when Henry found and returned \$160,000 to the bank. The Toronto Star has dubbed him "Honest Henry."

As a community, Mississauga East is also proud. Acts such as this that demonstrate an honourable character and high moral standard unite the community of Mississauga in the spirit of togetherness. The government recognizes that such expressions of honesty and integrity inspire a feeling of goodwill that brings individuals in our communities across Ontario closer together.

I ask this House to acknowledge Henry and Paul, who are in the members' gallery. To paraphrase the caption which appeared in the Mississauga News relating to this exceptional act, Canada can bank on these guys.

MINISTER OF TRANSPORTATION

Mr Rick Bartolucci (Sudbury): In light of our friend the Transportation minister's lack of interest, in not showing up this morning when we were debating the very important private member's bill regarding legislated standards for winter road maintenance, and given his insistence on slashing budgets to snowplows and sand

trucks in northern Ontario, and given the fact that this minister has no idea what it's like to drive to work in adverse northern winter conditions, I thought I might give the minister an update of the road conditions in the north around Sudbury provided to us from his ministry as of 8:45 this morning.

Highway 69 south—snow-covered to snow-packed with icy sections; Highway 11 south—centre bare with snow-packed sections; Highway 144 north—snow-covered to snow-packed, slushy with icy sections; Highway 17 east—snow-covered to snow-packed with slushy, icy sections. Minister, these were the conditions at 8:45 this morning.

There is a new jingle being used in the north and in Sudbury for our pal Al:

Sometimes you'll plow and sometimes you won't
Sometimes we make it and sometimes we don't.
We can't see the street for the snow at our feet, but
We'll proudly go forth to help Al's friends in the north.

In all seriousness, Mr Minister, I urge you to reconsider your drastic cuts to winter road maintenance. Your business model of outcomes-based management systems is ill conceived and ill advised—

The Speaker (Hon Allan K. McLean): Time has expired.

FAMILY RESOURCE PROGRAMS

Ms Marilyn Churley (Riverdale): In Mike Harris's Ontario, the range of child care services available to young working families is under attack. Today I'd like to focus on one group in my riding of Riverdale that is part of the range of services available.

The Metro Association of Family Resource Programmes provides cost-effective multiservice programs available to 90% of those caring for young children. They support parents choosing to care for their own children and they seek to improve the quality of private-home child care providers and ensure employment and opportunities.

Caregiver training, parenting and toy libraries, emergency child care and parent relief are some of the additional supports to families they provide. These programs are cost-effective, receiving only 3% of the ministry's child care budget. They have a 20-year history of promoting healthy, sustainable communities while maintaining quality and standards in child care.

These programs are based on common sense in the true meaning of the term. The recent slash-and-burn approach of this government shows it has much to learn from organizations such as the Metro Association of Family Resource Programmes which practise common sense as a matter of commitment and necessity.

I urge this government to continue supporting the family resources programs, as they are doing exactly what this government has asked people to do.

PETERBOROUGH FESTIVAL OF TREES

Mr R. Gary Stewart (Peterborough): I rise to invite all members of this House to the fifth annual Peterborough Festival of Trees being held November 23 to

November 26 at the Peterborough Memorial Community Centre.

This event is a four-day community celebration and fund-raising event for three benefiting organizations: the St Joseph's Hospital Foundation, the Peterborough Civic Hospital Foundation and Hospice Peterborough, a non-profit community-based group that provides compassionate care to help those with illnesses that have progressed beyond the traditional medical treatment aimed at curing.

Local businesses purchase floor space and provide the festive decorative wonder of their choice as an exhibit for viewing and sale. All proceeds from sales and purchases go to the three health groups to assist in capital projects and to provide front-line health services. Proceeds have now totalled in excess of \$700,000 over the last four years.

The spirit and enthusiasm of this festival demonstrates how committed the people of Peterborough riding are to making a difference in their community, a difference which not only benefits the users of health services but also unites and strengthens the entire community through friendship, hard work and volunteerism. I am proud to stand here and invite all members to the Festival of Trees in Peterborough, November 23. It will make a difference.

1340

FIRE SAFETY AWARDS

Mr Pat Hoy (Essex-Kent): I rise today to recognize the courage and quick thinking of one young man in my riding, James LaMarsh, who received an Ontario Fire Prevention and Public Fire Safety Education Award from the Solicitor General in a special ceremony today.

When he was only five years old, James awoke to the smell of smoke in his home and crawled on his hands and knees to wake up his three-year-old brother, his cousin and his parents. Firefighters said his bravery and cool thinking probably saved the lives of his family and averted a terrible tragedy. James learned to crawl below the smoke in a Learn Not to Burn program he attended in grade 1.

At the same time, I would like to salute firefighters, both volunteer and professional, in my riding and across the great province in acknowledgement of their dedication in protecting and saving lives in communities across Ontario and for promoting programs like Learn Not to Burn in our schools.

James is sitting in the gallery with his parents, Debra and Joe LaMarsh, and fire chief Jim Anderson from Chatham, who were with him today for this special occasion. I'm very proud to introduce them to the members of this House.

HIGHWAY SAFETY

Mr Len Wood (Cochrane North): I'd like to direct my statement today to the Minister of Transportation. The first fatal accident of the winter involving a resident in my riding of Cochrane North occurred last Saturday when Mrs Jeanne Mitchell, 65, of Cochrane was travelling northbound on Highway 11 in Coleman township, north of Latchford.

This accident occurred two days after a 25% to 30% reduction by your government to the winter maintenance

program. Mrs Mitchell lost control of her vehicle, sliding into the southbound lane, striking an ongoing tractor-trailer, causing the car to roll into the ditch. According to the police, freezing rain, snow and icy road conditions caused the accident.

On October 2, I raised the issue of the cuts to the use of snowplows and sanders in the north with the minister in the House and his response at that time was, "Our roads in the wintertime are going to be up to safety standards." You need to improve your standards, Mr Minister.

On Tuesday of this week, my colleague Floyd Laughren called for a coroner's inquest into an accident which occurred on Highway 17 in his riding of Nickel Belt last Sunday. You refused to reconsider your decision to cut the highway snow removal budget and dodged questions on the issue.

We need coroner's inquests into these accidents in northern Ontario to determine the level of maintenance that was carried out. Essential front-line emergency snow removal of salt and sanding is required for public safety. Essential services are not being maintained and the safety of citizens in the north is being severely threatened. A coroner's inquest is needed into the highway deaths in the north.

FIRE SAFETY AWARDS

Mr Tom Froese (St Catharines-Brock): I would also like to draw the attention of the members to this distinguished group of visitors in the gallery this afternoon, the winners of the 1995 fire safety awards. In total, 16 groups and individuals have won the award this year.

Fire prevention and public education are essential to saving lives and protecting property, and the award winners this year have given generously of their time, energy and resources to promote fire safety. In addition, the winners this year include six young people who have used the fire safety information they were taught to save lives or prevent serious injuries.

One of those young people is 12-year-old Amber Ann Maltese of Niagara-on-the-Lake, in my riding of St Catharines-Brock. Amber Ann helped guide her younger brother and sister to safety after a fire started in her house. The fire and safety program organized by the local school board and the local fire department taught her what to do in this emergency.

All of the 1995 award winners have helped to change public attitudes towards fire safety.

On behalf of the government and the people of Ontario, I am pleased to draw the attention of the members to their presence here today and I ask Amber and her parents to stand, please.

CONSERVATION AUTHORITIES

Mr Peter North (Elgin): My statement today is with regard to conservation authorities. Conservation authorities in Ontario deliver many valuable services, from water quality measurements to flood control, to stream bank erosion, to tree planting, to many forms of land planning. Our lives would be much poorer without them.

Education put forward by conservation authorities with regard to the environment has been recognized across the

province as having made a substantial difference to many communities. Conservation authorities partner with many community resources such as municipalities, provincial and federal government ministries, agricultural associations and environmental organizations. These partnerships are invaluable in our communities, with the resulting economic returns and opportunities too numerous to mention.

Another of the economic benefits of conservation authorities is the local employment they create. Most specific is the student employment created at a time when student unemployment in rural Ontario is quite substantial. The experience students receive goes a long way to supporting the educational career paths students choose to follow.

I think it is extremely important that conservation authorities are in place and continue to be supported by this government, as they have been in the past.

I want to extend my congratulations to the Kettle Creek Conservation Authority and the Catfish Creek Conservation Authority in my particular riding of Elgin, which have done tremendous work in areas such as cleaning up rural beaches, local employment, tree planting and special events planning in and around Elgin county.

I also want to encourage all members of the Legislature to support the new two-for-one plan which has been forth by the Association of Conservation Authorities of Ontario.

STATEMENTS BY THE MINISTRY AND RESPONSES MUNICIPAL PLANNING

Hon Al Leach (Minister of Municipal Affairs and Housing): This government has promised to promote economic recovery by slashing red tape and getting rid of obstacles to growth. Ontario's planning system is tied up in red tape, red tape that kills development and kills jobs.

Getting through the planning approval system takes too long and costs too much. Planners have to wade through hundreds of pages of provincial guidelines, and a simple official plan amendment can easily take 405 days. This afternoon I will introduce legislation to correct that.

We will scrap parts of Bill 163 that don't work and bring in a planning system that's faster and less bureaucratic, that people can understand—even the Liberal Party—a planning system that delivers an answer more quickly.

The system will be guided by provincial policies which will be clear and concise and deal with issues that should be under the jurisdiction of the province. The policies will focus on the desired results rather than on the process by which those results are achieved.

Mr James J. Bradley (St Catharines): Thanks for lecturing us on something we already understand. You're doing such a great job, Al.

The Speaker (Hon Allan K. McLean): Order. The member for St Catharines is out of order.

Hon Mr Leach: Those policies will be reflected in local planning decisions made by the people who understand local circumstances best. We will give municipalities the autonomy they've asked for and the autonomy they deserve.

Our new system will cut the maximum approval time in half. At the same time, we will ensure that environmental rules will continue to be tough but do not stifle economic development and growth.

Over the winter we will review all of the provincial policies that guide the system. Our plan is to have the policies and the legislation in place by next spring.

We're also going to scrap part of Bill 120 and introduce legislation that will allow municipalities once again to determine where second-unit apartments are appropriate.

We will also review the Development Charges Act, an act which now adds to the high cost of housing. We are looking at going back to the original purpose: to pay for hard services. We will introduce a new act in 1996. In the interim, we will allow municipalities to extend existing bylaws and permit new or increased charges only with ministerial approval.

1350

No review of planning would be complete if we ignored the Ontario Municipal Board. The board's procedures are already being streamlined and modernized. What used to take 18 months for a hearing has been cut in half, and the plan is to cut that to four months. I will be encouraging the board to continue in these efforts.

The changes to Bill 163 will help clear a path for economic development and contribute to a climate that will encourage investment in Ontario.

Mr John Gerretsen (Kingston and The Islands): I would like to take this opportunity to respond for our caucus members with respect to this proposed legislation.

The first thing I would say is, of course, the major thing that is missing in this announcement is, what are municipalities going to do when a ministry cuts them back 20% of their funding, as we heard about over the last two or three months? Obviously, it's only going to mean one thing and that's increased taxes.

We like the general direction this legislation is taking. However, what we do not like is the obvious downloading that's taking place, and we hope that the scrapping of those parts of Bill 163 aren't purely going to help the development industry.

There's a rather curious statement as well, which is in the third-last paragraph, that says, "At the same time, we will ensure that environmental rules will continue to be tough, but do not stifle economic development and growth."

Do I take it that if they do stifle economic development and growth we somehow will relax the environmental rules? In other words, if it's going to cost the developers money, we're going to somehow ignore the environment and the environmental concerns that people have out there.

The other thing it doesn't answer at all is with respect to Bill 120, allowing municipalities to determine where second-unit apartments are appropriate. I hope the legislation will also provide for what happens, exactly, with those second-unit apartments that have been installed since the law was changed some time ago. That raises a major question.

The other question relates to the Development Charges Act. It's all right to say, "All right, we're going to bring it back to its original purpose," but of course the end result is that the municipalities will still have to provide the services that the consumer and the people in the municipalities demand, which means only one thing: either user fees or higher taxation.

I'm somewhat surprised that the statement didn't include something about the supplementary assessment fees that the Tories in the Common Sense Revolution said they were going to scrap. Eighteen million dollars have been raised that way across the province during the last six months. Why didn't the minister address that particular issue?

The final issue I want to raise deals with the whole issue of public process. I know the minister has had an advisory committee working with him to deal with a lot of these issues, and what I find very curious about the memo that went out with respect to the advisory council that was set up with some AMO representatives some time ago is that one of the duties the advisory group was given was specifically, and I quote from the memo: "That the advisory group will not undertake consultations nor will it prepare a formal report."

I find that very, very interesting, that we set up an advisory group that, by the way, is supposed to give a response on just about every issue under the sun that's of municipal concern within a matter of about three or four months. Let me just read you those issues: They deal with council composition, elections, status, officers and duties, conflict openness, access to records, ethics, commissions of inquiry, general authority, regional municipal authority, property taxation, municipal financing, borrowing, capital financing, special purpose bodies, restructuring, powers of entry, notices and fees, and insurance liability limitations.

This advisory committee, together with the parliamentary assistant for the Ministry of Municipal Affairs and Housing, is supposed to deal with all of these matters in a matter of three months, without any public consultation whatsoever, without any consultation other than with the seven members that have been on this committee, and somehow make the minister fully knowledgeable about what changes are to be made in that legislation. We just hope there will be full public consultation with respect to whatever amendments the minister is going to propose in the legislation.

The public process has been lost in the Legislature, as we know. We saw it with respect to Bill 7; we saw it with respect to the so-called quota bill; we saw it with respect to just about every piece of legislation that has been introduced. We saw it with the fact that there's no budget in the province of Ontario for the first time in over 100 years. We agree this statement goes partway, but what's really interesting are the questions that aren't answered in this statement.

Ms Marilyn Churley (Riverdale): I'm responding on behalf of our caucus today. There are three different issues under consideration here, and I would ask that the Minister of Environment and Energy, the Minister of Municipal Affairs and Housing, the Minister of Agricul-

ture, Food and Rural Affairs and the Minister of Natural Resources all pay close attention to what's happening in terms of the announcement that was made today.

What the minister is saying, after extensive consultation all across the province by our government, is that this is going to be all thrown out and that wetlands once again will be paved over, agricultural land will disappear. This government is actually promoting going back to urban sprawl again.

What I want to say to him and to the Minister of Environment and Energy today as well is that this kind of process will actually cost taxpayers more money. When you have urban sprawl—and you approach this from two levels: the environment but also providing services. That announcement, coupled with the announcement that you're changing the Development Charges Act, bodes very badly for taxpayers, because as you increase urban sprawl, you have to provide the services. You have to provide the schools, you have to provide the other services that people need. At a time when you're cutting back municipalities, who is going to pay for those services?

On the issue of the need to cut short the time people spend before environmental assessment boards, as the minister himself said today, our government cut those hearings back, about in half. But I'd also remind the minister—and I'm sure the Minister of Environment and Energy knows this—that the vast majority of EAs are approved without ever going to a hearing already. We seem to focus mostly on a few, the very, very long EAs that took up a lot of time and cost a lot of money, but the reality is that most of these projects are approved without the hearings ever taking place.

I'd like to ask the minister, how does he know that Bill 163 doesn't work? He hasn't given it a chance to work. In terms of the policy statement, we've heard some complaints about some of the wording of that policy statement. The policy statement isn't the legislation itself. The minister hasn't given it an opportunity to work out there. The implementation within the legislation is fine; it's just the guidelines, I believe, that people have been talking about having problems with.

I would say to the minister responsible here that he should consult very, very closely with the people of Ontario about all of these issues that he brought forward today. As my Liberal colleague mentioned, there's a problem with this government in general with putting together advisory groups and consulting with people in secret. As my Liberal colleague mentioned, these are substantive changes that are being made today, and all of the people should have a chance to comment on what's happening here. I know that I've talked to some environmentalists who are quite concerned about the changes that are being made. They don't know, and they asked me to try and find out, just who is being consulted. Who is this advisory group? Who are they talking to? They have some very important information and advice to give you.

The issue around transparency: The public access—and I believe that that's one of the most important things that we have to take from this announcement today—to these kinds of decisions is really going down the tubes. You

consider among yourselves and with your friends where you're going with this without looking at the full implications for all of the people of Ontario.

1400

I would say to the minister—while they are in the process of cutting back municipalities, we will soon be hearing just what's involved in that and how far they're going to be cut back—that he take a good look at the added costs to municipalities, the added costs to our environment that will surely be affected by these changes and take good care to consult with everybody who has a stake in this, and that when he comes back with the final bill, he will have a comprehensive bill that will have included everybody in the province.

Mrs Elinor Caplan (Oriole): I rise on a point of order today, Mr Speaker: Yesterday, in this House, without any notice, a very substantial piece of legislation, very complex, was tabled. It was tabled without a statement from any of the ministers who are having carriage of this very complex and important piece of legislation. There was no minister's statement; it was done by press release. It was discussed this morning at a House leaders' meeting and the commitment was made that it would not happen that way again. I just wanted to let members of this House know that we would appreciate ministerial statements on important pieces of legislation.

Mr Bernard Grandmaître (Ottawa East): On a point of order, Mr Speaker: I have a special presentation to make to the Minister of Community and Social Services, Mr Tsubouchi, on behalf of the 21 disabled members of—

The Speaker (Hon Allan K. McLean): You're out of order.

ORAL QUESTIONS

MINISTRY ADVISER

Mr Dwight Duncan (Windsor-Walkerville): I'd like to return to a subject that we began to discuss yesterday with the Minister of Finance, so my question is to the Minister of Finance. Yesterday, in defence of your decision to hire Jamie Watt, a man who pled guilty to 13 fraud and forgery charges, you told this House that Mr Watt had "made financial restitution." You also said, "Any mistake Mr Watt has made in the past, Mr Watt has paid for."

This morning we spoke to Mr Bruce Attenborough. He informed us that Jamie Watt, the same man you have hired to help sell your economic plan, has failed to pay him more than \$36,000 in court-ordered compensation in a civil judgement related to those fraud charges. I want to stress that he had more than 10 years to pay the judgement.

The Speaker (Hon Allan K. McLean): Put your question, please.

Mr Duncan: According to Mr Attenborough, in those years he's not even received a call. Minister, do you stand by your statements yesterday that Mr Watt has paid for his mistakes and made full restitution?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): It is my

understanding that Mr Watt has paid every proven claim that was against him as a result of those charges that were laid.

Mr Duncan: On top of the minister's comments that Mr Watt had paid for his mistakes, I can tell you something that Mr Attenborough was surprised to hear. Your Premier called Jamie Watt "a model citizen." There is an outstanding Supreme Court of Ontario court judgement in the amount of \$36,000.

Minister, do you agree with the Premier that someone who continues to this day to violate a court ruling ordering repayment of more than \$36,000 to one of his victims is a model citizen, someone who should be working in the Premier's office?

Hon Mr Eves: It is my understanding that no such outstanding court order exists.

Mr Duncan: We're going to be reviewing this matter in greater detail as well. But yesterday the Premier also said that in his opinion Mr Watt's primary sin was "non-disclosure of a problem he had in the past." I remind you that we are talking about an individual who pled guilty to 13 fraud and forgery charges, a man who continues to violate a court order to repay one of his victims. Mr Speaker, I'm sure you would agree with me that the Premier is sadly mistaken when he says non-disclosure was the primary sin.

I ask the minister, how can you say Mr Watt has paid his debt and how can the Premier call him a model citizen until Mr Attenborough receives payment? How can you allow this to go on? How can you allow this individual to work for you and for the Premier until this issue is fully resolved?

Hon Mr Eves: To the honourable member: If he has an outstanding court order that he would like to present to us, I'd be more than happy to receive it. As I said, it is my understanding that no such outstanding court order exists.

Interruption.

The Speaker (Hon Allan K. McLean): Order. There will be no demonstrations. Would security remove the demonstrators.

TAX EVASION

Mr Dominic Agostino (Hamilton East): My question is to the Minister of Finance and I'd like to return to the question of fairness that was raised yesterday by my colleague from Scarborough-Agincourt.

Minister, on this side of the House we believe that welfare fraud is wrong and should be aggressively pursued and eliminated. By the same token, we believe that tax fraud is wrong and should be aggressively pursued and eliminated. I'm disappointed that the Premier believes in the double standard that tax fraud is human nature but welfare fraud requires snitch lines and surprise home visits. According to the Premier, welfare fraud is bad, tax fraud is good; Main Street fraud is bad, Bay Street fraud is good. Fraud is fraud and it is wrong whether it occurs by the welfare recipients or whether it occurs by individuals trying to rip off the tax system.

Minister, do you believe that your government should allocate the same resources, apply the same standard and

the same fairness in pursuing tax fraud in Ontario as you have in pursuing welfare fraud?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): I would like to say that first of all the Premier has never said that tax fraud was good, and the honourable member knows that. We take the recommendations made by the Provincial Auditor very seriously and we'll take the appropriate measures to make sure that situations such as he refers to in tax fraud are remedied.

Mr Agostino: It's easy to say it's a problem and we want to take action. You certainly have come up with a plan of action to attack poor people, disabled people and children in Ontario, but you have come up with no plan of action to attack this type of fraud. You knew what was happening. You knew this kind of fraud was happening before the auditor's report. When on that side of the House your members spoke of this time and time again.

Yesterday, Minister, you told this House, "I take very seriously the Provincial Auditor's remarks with respect to the appointment of more auditors...." However, your colleague the Chair of Management Board said outside the House that he's not going to let you hire any more people to pursue this. What are you going to do, Minister? You can't hire more people because he's not going to let you. In view of the contradictions between the Premier, the Chair of the Management Board and the standards you just outlined that you're going to follow, can you tell the House today, rather than simply telling us you're going to take action, what specific steps and plans you have to combat this problem and when you expect these steps will be introduced into this House?

Hon Mr Eves: I'd be more than happy to reiterate the same statements I made both inside and outside the House the day that the Provincial Auditor issued his report, which, I'm sure the honourable member will recall, was only two days ago now.

Having received the report, just like you, shortly after 1 pm two days ago, we have indicated that indeed the ministry is in the process of changing its computer system, that we would like to develop a model, as the Provincial Auditor suggests, along the lines of those people who may be so disposed to fit the mould of cheating on retail sales tax, and we will program our computers thusly when the new system is installed and up and running.

Also, as the Provincial Auditor suggests, I take very seriously his recommendation that more auditors are required to crack down on fraud in this area. We will be doing that and doing it by reallocating people within the Ministry of Finance as vacancy positions come open.

1410

Mr Agostino: I'm astonished that the minister believes a problem that is 10 times larger than welfare fraud, a problem that drains and sucks billions of dollars out of taxpayers in this province, can be simply fixed by his computer system being realigned to catch this, that this is the best plan of action this government can come up with.

Minister, you promised a different type of government when you ran. You promised a government that was

going to be straight up forward with the people of Ontario and that you were going to be committed to fixing the problems of this province.

This is not a new problem, Minister. You're aware of this problem. You were aware of this problem when you were in opposition. It is simply an attempt by your government to justify a ripoff being put upon the people of Ontario by your wealthy friends. I cannot believe that the minister says, "We knew about this two days ago." The minister knew this problem occurred before.

Can you again be more specific with this House? Can you tell us what other plans you have, outside of simply reallocating a few people if the Chair of Management Board allows you to do so, or simply fixing the welfare system to address a problem that is 10 times larger than the welfare fraud in Ontario? We know the type of charade you have put on in an attempt to go after that fraud. Why can the same effort, the same standard, be not applied, or is this simply a double standard that your Premier and your cabinet are continuing?

Hon Mr Eves: I know that perhaps the honourable member has had his question prepared and is bound and determined to ask those two supplementaries as he had written them. However, he did not listen to the fact that I said we will follow the recommendations in the Provincial Auditor's report, which was released approximately a little more than 48 hours ago now. We will look at those recommendations and we will implement them.

Mr James J. Bradley (St Catharines): Dave says you can't have the people. The Chair of Management Board says you can't have more people.

The Speaker (Hon Allan K. McLean): The member for St Catharines is out of order.

Hon Mr Eves: I don't need the Chair of Management Board's consent to reallocate staff within my ministry.

The Speaker: New question, the leader of the third party.

Mr Bob Rae (York South): On the same subject, to the Minister of Finance—

Mr Bradley: Bob's joining us now on this one. Come on board. Come on, Bob.

Mr Rae: Mr Speaker, I wonder if you could quiet my fan club down. It's very hard for me to proceed in the face of that.

First of all, the Minister of Finance knows full well that prior to the publication of any auditor's report, there are extensive discussions between the ministry in question and the auditor's department. To say he got this two days ago, he never heard about it before, is frankly I think a little incredible. He knows full well that discussions have been under way for some time.

I want to ask the minister, in light of the answers that he has given to my colleague from Hamilton, I wonder if he can explain why, in a memorandum dated October 30 to a member of our caucus staff from your MPP liaison in the Ministry of Finance, we're told that the activity on the unified reporting portion of Clearing the Path has been put on hold; why we were told that between 25 and 30 staff in the tax division received surplus notices at the beginning of October; why we have been told that the

reason for these decisions has to do with the general constraint program of the ministry.

This would seem to fly in the face of the answers given by the Minister of Finance in which he indicates that it's his plan in fact to hire more auditors and to persist with Project Fair Share, which he well knows has been in place in his ministry for some considerable length of time and in fact has been held back because of the cutbacks which you introduced in July. I want to ask the minister if he can explain the discrepancies between the answers that he has given and the answers we've been previously given just a couple of weeks ago by his own ministry.

Hon Mr Eves: I'm not aware of the memo that the leader of the third party refers to. If he'd be so kind as to send it over to me, I'd be happy to look into it on his behalf.

Mr Rae: I appreciate what you're saying, but I would simply say to you, sir, that you know very well that prior to your taking office we had in place something called Project Fair Share, which involved the hiring of more auditors, which involved simplifying the tax collection system and which in fact more than paid for itself in every year in which it was in place. That project has been put on hold. It has been put on hold and in fact has been stopped because of the constraint program brought in by your government as soon as you were elected.

Why would the minister not admit that the panic reaction that took place in July has prevented some very positive and sensible suggestions, which were well in place and well on track, that would have collected more money and more taxes and would have paid more for themselves if they had been continued?

Hon Mr Eves: To the leader of the third party, I would remind him that the Provincial Auditor's report that he's referring to is for the fiscal year April 1, 1994, to March 31, 1995. I don't recall us being in government during that period of time. I do recall, however, him being the Premier during that period of time and the person sitting to his right being the Minister of Finance, and it is that government and that fiscal year that the Provincial Auditor is criticizing. So I say to the honourable member, he is criticizing himself and his own government.

Mr Rae: An objective assessment of the facts will show that—

Hon Mr Eves: If you had solved the problem, why would it be in the auditor's report?

Mr Rae: Mr Speaker, I can understand the Minister of Finance being as agitated as he is because—

Hon Mr Eves: I am not agitated.

Mr David Turnbull (York Mills): Just pointing out the hypocrisy.

Mr Rae: The whip is howling me down. I'm sure this is not permitted under the rules.

What I would ask the minister is this: Will he not admit that prior to his taking office there was already in place the Clearing the Path project, which provided for simplification as well as for increased revenues? Would he not admit that Project Fair Share was in place, which

provided for increased numbers of audits, increased numbers of auditors and increased revenues? Would he not admit that both these projects with respect to tax collection specifically have in fact been put on hold, and they have been put on hold and people have been fired and people have been let go and people have been set aside who have been engaging in some of the very reforms which would lead to an improvement in the system?

Hon Mr Eves: I would say to the honourable member again, if in fact his government had resolved all those issues that he claims it did, they wouldn't be in the Provincial Auditor's report. The Provincial Auditor's report is for the period, again I remind him, April 1, 1994, to March 31, 1995. He has the gall to stand in his place and say the Provincial Auditor is criticizing my government. He was there during that period of time. "Why didn't you fix it retroactively?" That's what he's saying.

BUS TRANSPORTATION

Mr Bob Rae (York South): My question is to my new pal, the Minister of Transportation. My question stems from my having listened to the minister's scrum yesterday, as it was reported in many different media. We've all done this, but he seems to have set a record for contradicting himself in the middle of a single sentence. I'd like to ask the minister for some clear answers.

In your letter which you sent to Mr Crow from the Ontario Motor Coach Association you told him that the time frame for deregulation was in fact going to be shortened and that it was your intention to move quite quickly with respect to legislation.

We know that the staff of the highway transport board were given their surplus notices at the end of October, which would simply, I would think, indicate that's it for the highway transport board.

I'd like to ask the minister, therefore, can he tell us precisely, today, exactly what is the plan that the government has with respect to the provision of bus services in communities throughout the province?

Hon Al Palladini (Minister of Transportation): I guess I might not be as articulate as the leader of the third party and I don't make any apologies for that. The Ontario Highway Transport Board will not expire until April 1996, and as far as what this government is going to be doing for deregulation, clearly this government should not regulate businesses in this province.

We made a commitment in the Common Sense Revolution to knock down the barriers that presently exist. Your government was very instrumental in putting up some of these barriers. This government is going to eliminate barriers in order that—we will work with the private sector—it establishes prosperous businesses.

1420

Mr Rae: I don't know who's more articulate. I suspect you've sold more cars than I have, but I would say to the minister in trying to get an answer—

Hon Bob Runciman (Solicitor General and Minister of Correctional Services): Who would buy a car from you, Bob?

The Speaker (Hon Allan K. McLean): Order.

Mr Rae: I heard the minister say that he's not interested in regulating businesses. I heard him say that. I would like to ask him: First of all, I'm sure he realizes that the Ontario Highway Transport Board has been in place in this province for many, many years. It was not the product of the 10 lost years; it was the product of the lost years before that.

But I'd like to ask him, in the event that the minister now says the government of Ontario no longer believes in regulating business, can he tell us how he intends to ensure that smaller communities will continue to receive bus services and that senior citizens will be able to go from one smaller community to larger towns or indeed across the province to visit their friends and relatives and families? How are they expected to get around if companies decide that it simply isn't profitable to serve smaller communities?

Hon Mr Palladini: I would like to thank the honourable member for correcting me. Indeed, I did not mean to use the word "regulate." I meant to use the word "overregulate," which is certainly something that government has been doing.

As far as the services that the leader of the third party is referring to, there presently exist inadequate services with the regulations that are in place, so I say to the leader of the third party that this government most likely will improve those services and at the same time deregulate this industry.

Mr Rae: This is an issue which touches the lives of a great many citizens of the province who can't drive themselves and who rely on either trains, which are already being cut back, or on buses in order to be able to get around the province.

The reason we have regulation of bus services, Minister—and this is the reason that I think addressed itself to the logic of John Robarts and Leslie Frost and William Davis and a number of other people who were not members of either the Liberal or New Democratic parties—is because it's the only way you can ensure that profitable carriers will provide a service to routes which by themselves are not profitable.

So the question I have for the minister is, if you don't intend to regulate and have a highway transport board which will attach conditions for services, how can you ensure, how will you ensure, that those senior citizens and others who are living in smaller communities will continue to receive bus services from companies which are in the business of making money?

No one's criticizing them for that, but always in the province the tradition has been that the price for your getting a licence is that you will carry some routes which by themselves are not profitable. There's a very real risk in the course the minister is setting. Would he not admit that there is a risk involved for those citizens living in those communities in having their services cut down and abandoned?

Hon Mr Palladini: Presently, with the regulations in place, there are communities that are not getting adequate services. I could name you a town like Morrisburg, and

there are only services you can get on one particular day and that's a Friday, and it's a same-day service. If you have a doctor's appointment on a Wednesday, there is no bus service.

There are many other communities such as Morrisburg that with regulation intact are not getting the services that the leader of the third party is referring to. But this government has met with the busing industries, and hopefully together we're going to come up with a compromise that possibly will actually increase the services that are presently being offered.

HEALTH CARE FUNDING

Mrs Elinor Caplan (Oriole): I have a question for the Minister of Finance, who I know is in the House, so I'll proceed with my question.

Minister, yesterday I asked the Health minister if he would sign a pledge similar to the pledge that you and he and Premier Harris signed during the election campaign. We all know he refused to sign that pledge, and by not signing the Minister has raised fears that additional cuts to health care are coming.

Today I would ask if you would reaffirm your election promise and affix your signature to this pledge. It reads:

"I hereby pledge that there will be no further cuts to the health care budget in the November 1995 fiscal statement. Further, I guarantee that the Harris government will not make additional cuts to health care as a result of revenue shortfalls."

Minister, will you sign this pledge today and keep your promise to the people of this province?

The Speaker (Hon Allan K. McLean): The question has been asked.

Mrs Caplan: You signed a pledge during the campaign to the taxpayer promise you made. Will you sign this pledge today to protect health care, as you promised in the campaign?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): We will keep any promise we made, and, no, I will not sign the pledge.

Mrs Caplan: Yesterday I was frankly surprised and frustrated that the Minister of Health would not sign the pledge, but today I'm worried. During the election campaign, your party promised to cut the income tax rate by 30%. You were asked to sign a pledge so the people of Ontario could witness in writing your commitment to that promise.

During the election campaign, you also promised to protect health care spending, and I'm going to quote from page 7, where in bold you say, "We will not cut health care spending." Today I'm asking if you will do what you did during the election campaign, and that is, honour your commitment in writing.

I ask, do you and your party have one standard during the election and another one when you are in government? You made a commitment in writing on the tax pledge. I'm asking you today to make the same commitment in writing on your health care pledge.

The people of Ontario, Minister, thought, when you said, "We will not introduce new user fees," that you would not introduce new user fees and they thought, when you said, "We will not cut health care spending," that you would not. If you do not sign this pledge today, Minister, if you don't sign it, they will be worried that you will not keep your word. If you meant it, will you sign this pledge today?

Hon Mr Eves: The Minister of Health indeed will be keeping a commitment to maintain the health care envelope. Throughout the election campaign, she also knows that the Minister of Health, the Premier and other people have indicated, as well as indeed many people in the health care field themselves have indicated, that there have to be substantial savings found in administration of health care in the province of Ontario so we will have the money necessary to reinvest, as we committed to, in the health care system to keep up with a growing population, an aging population and new technology, and we will deliver on that commitment.

TAXATION

Ms Frances Lankin (Beaches-Woodbine): My question is to the Finance minister. The Premier and his ministers say that people are cheating on retail sales tax because the tax level is too high and because they feel the tax system is unfair. Chair of Management Board said yesterday: "The other thing I think we have to look at is the fairness of the tax system. People are more apt to not pay their taxes if they feel the taxes are unfair."

The minister himself said yesterday, "The whole issue of the underground economy, I think, is in large part...due to taxation levels," and the Premier said the day before that tax cheating is "regrettable" and "unfortunate, but that seems to be human nature all around the world and something we want to correct."

My question then is, why doesn't this government cut retail sales tax by \$5 billion-plus instead of cutting income taxes? Cutting the retail sales tax would make the system a lot fairer, as you've argued for. It would provide a much greater boost to the economy. It would create more jobs than cutting personal income tax. Cutting those taxes by \$5 billion would create 25,000 more jobs than cutting income taxes by the same amount. Why won't you do that?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): The honourable member is a member of a party that increased taxes 32 or 33 times in five years, increased personal taxes eight times between 1991 and 1994, and during the course of the election campaign flatly refused to even entertain the thought of cutting any tax.

1430

Ms Lankin: Wonderful, wonderful answer. May I say to the minister, it's not us who proposed to cut income taxes and to lose \$5 billion to the revenue and drive us to have to cut health care and everything else. What I'm saying to you is, if you are absolutely dedicated to giving up that \$5 billion in revenue, why don't you do it on the retail sales tax side instead of on the income tax side? Because it's a greater boost to the economy and it's going to create more jobs.

Instead, what you're proposing is an increase to the retail sales tax as a result of GST harmonization. That's going to be tougher on poor people. It's going to be tougher on working people. It's going to increase the consumer price index by 1%. That's going to cost 30,000 jobs in this economy. Whereas you could move today by changing your own commitment to a tax cut from one, being the income tax, to another, being the retail sales tax, boost the economy and create more jobs and make it a lot fairer and thereby help solve your problem that you've identified of unfairness in terms of the underground economy. Why won't you do that?

Hon Mr Eves: One day the honourable member for Beaches-Woodbine criticizes us for wanting to cut taxes. She didn't want to cut taxes. Her party didn't want to cut taxes. Now they seem to be in favour of cutting taxes, all of a sudden. Which side of this fence are you on?

We have never said that we would increase the retail sales tax and we will not. We made a commitment during the course of the provincial election campaign to reduce the level of provincial income tax in the province of Ontario, which as I have already alluded to, her government increased eight times in the space of four short years. We got elected on that basis and we will fulfil our commitment to the people of Ontario.

PORK INDUSTRY

Mrs Helen Johns (Huron): My question is for the Minister of Agriculture, Food and Rural Affairs. Huron county is the second-largest producer of pork in Ontario. On October 25, the Ontario Farm Products Marketing Commission held a hearing between the pork board and the Ontario pork processing industry. The board at that time decided they would hold an auction, which they were allowed to do as a result of the agreement they had with the producers.

They believe that the current formula for pricing is not the proper pricing and that they are receiving less dollars than they would if they sold their product in the US. The auction would provide more competition for my pork producers in Huron county and they feel it would have been a better system for them.

Can the minister tell the pork producers of Ontario why a government-appointed body would reverse the decision made by the Ontario Pork Producers' Marketing Board?

Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs): Yes, there is a lot of consternation within the pork industry. On behalf of the Legislature and the ministry, the Farm Products Marketing Commission gives regulatory powers to the marketing boards and supervises their operations.

Interjections.

The Speaker (Hon Allan K. McLean): Order.

Hon Mr Villeneuve: I'm amazed that the opposition really doesn't want to hear this. It is of great importance to our producers. While the commission supports the regulated authority of the pork marketing board, the commission determines that it would be in the best interests of the pork industry for the industry, the producers and the

processors to negotiate for a further 30 days. The 30 days will be up at the end of this month and we will see what the outcome of those negotiations will have been.

Mrs Johns: The local pork producers in my area believe that this interference flies in the face of the Common Sense Revolution, if you will. Can the minister ensure that this issue will be resolved quickly and that the pork producers will be able to sell their pork at the best price?

Hon Mr Villeneuve: The commission has existed for many years and it is there to keep everyone on an even keel. At this point it would not be appropriate for the minister to be involved, in that it is an arm's-length board. The decisions are made by the board and there is an appeal process which they can very much be involved in. At this point the minister cannot interfere—and I emphasize “cannot”—and if I did, those people would howl even louder. So this minister will not interfere until such time as we've reached an impasse.

BERNARDO HOUSE

Mr James J. Bradley (St Catharines): My question is for the Attorney General. I wrote a letter to the Attorney General on September 11, 1995. He's been kind enough to respond to me. It concerns the Bernardo house, which exists on 57 Bayview Drive in St Catharines. The minister is aware that there has been considerable damage done to the house, considerable vandalism has taken place and a great disruption to the neighbourhood, where people are concerned about the escalation of vandalism.

In addition to that, he would know that this house and its continued existence provides only horrific memories for the people of St Catharines and others who have passed this house from time to time. The trial is now complete. The accused is now in prison. I have waited to ask this question until all that was completed. Would the minister inform the House whether it would be possible now to have this house demolished? I should indicate to the minister that there has been a group which has volunteered to do this on behalf of the Attorney General's department free of charge.

Hon Charles Harnick (Attorney General, minister responsible for native affairs): I'm pleased to respond to the member for St Catharines's question. Police and government officials are working with municipal officials to iron out the details to permit the demolition of this house to take place. We hope that will be completed very shortly and that the demolition can take place and the house will be gone. I also understand there are discussions going on as well dealing with the change of the municipal address.

Mr Bradley: I thank the minister for that answer. It is the answer I was in fact looking for. There's a second issue which has emerged, and that is the issue of the security of the house until such time as all legal barriers have been removed to the demolition of this house. Would the minister be prepared to have his officials discuss with local officials in the Niagara region the possibility of sharing in the security of this house until such time as it is demolished?

Hon Mr Harnick: To the member for St Catharines, it is my understanding, and I indicated this in the answer

to the first question, that police and government officials are working with municipal officials, and those discussions, I believe, are part of the discussions that are going on. So it is certainly in mind that this be done in a way that promotes security for the neighbourhood. I hope those discussions will come to the conclusions the member and the community are looking for so that this can be done in a timely way and in a secure way.

1440

HIGHWAY SAFETY

Mr Gilles Pouliot (Lake Nipigon): My question today is to the Minister of Transportation. Yesterday my distinguished colleague the member for Nickel Belt asked you, sir, some questions regarding the tragic death that took place last Sunday in the Sudbury area. That tragic accident took place a full 15 hours after a heavy snowfall, and yet the conditions at the time of the accident were described as simply being horrible. The minister, after several questions, does not seem to realize that severe cuts in the road maintenance budget might and likely will result in more road deaths.

This is what the minister had to say yesterday in the scrum, right outside the chamber, right here. This is what he said: “Let's take a chance. Maybe we might not have to spend it,” meaning the money allocated for snow clearance.

I ask the minister, is he suggesting that in order to save money, he is willing to take a chance with people's lives?

Hon Al Palladini (Minister of Transportation): The honourable member had my job in the last government and I think he'll relate to what I'm going to say. The budget that was established in 1994 for winter maintenance and the budget that was accrued for 1995, the 1995 budget, is superior over the 1994 budget that his government put in place.

The end result is that what this government has done is we are better utilizing the dollars, and instead of paying people to sit around, we are going to pay them when they are physically actually going to be doing the work. That's what this government is accountable to do for the people of Ontario.

Mr Pouliot: This is indeed a feeble attempt at dancing, at evading the issue. What we have here, colleagues, is a conjurer of illusion.

This is a tragic situation. Black humour does not become the minister, indeed. It's quite one thing to stand there and to say, “We have the money and we'll do the job that needs to be done.” Well, how are you going to do it? Seventy-three fewer spreaders; 103 fewer plows. Some 125 seasonal staff were pink-slipped; they were told to go home; they don't need them any more. How can you realistically expect during a heavy snowfall when you have to act as quickly as possible and you have fewer plows, fewer spreaders, fewer staff, to be able to do the same job? It cannot be done. What's your answer?

Hon Mr Palladini: I am surprised. However, maybe I should not be surprised that the honourable member certainly does an excellent job of fearmongering the people of Ontario.

This government, in order to save money, looked at how we could possibly achieve that. We cut the 24-hour patrolling system that was in place back to 16 hours. That's maximizing the dollars. It does not snow for 30 days in the month. His government was paying people who were doing our winter maintenance 30 days of the month. This government will only be paying the people when they actually do the work. This is better management and better utilization of our dollars. We have the flexibility to react when the snow is coming down. His government was paying people all the time when they were actually only good when it was either just before it snowed, during the snowstorm or after the snowstorm.

The Speaker (Hon Allan K. McLean): The question has been answered. New question, the member for Bruce.

Mr Bud Wildman (Algoma): On a point of privilege, Mr Speaker—

The Speaker: Under what point? Under what section of the—

Mr Pouliot: Section 20(b), Mr Speaker.

The Speaker: No, it's not.

Mr Wildman: On a point of privilege, Mr Speaker: It is most inappropriate for members of this House to make light of a situation that has taken the life of one of my constituents, and I take that very seriously.

The Speaker: New question.

ENVIRONMENTAL PROTECTION

Mrs Barbara Fisher (Bruce): My question is to the Minister of Environment and Energy. As you are aware, the Organization for Economic Co-operation and Development recently released a report on Canada's environmental performance. Among other things, the report acknowledges Canada's efforts to conserve natural areas and protect water and air quality. It also points out, however, that there are still areas for improvement, such as waste reduction. How does Ontario plan to address the issues highlighted in this report?

Hon Brenda Elliott (Minister of Environment and Energy): I'd like to thank my colleague for the question. The member is quite right to point out that in the OECD performance review, it was stated that progress had been made in Canada, but more work still needed to be done.

I would like to say that with regard to waste reduction, Ontario can be quite proud of its 3Rs record. The blue box, for instance, is a program that is quite successful and is approaching the point of self-sustainability. There are many pilot projects now being undertaken and pursued in Ontario to deal with innovative waste management strategies. In my own riding of Guelph, for instance, just this week we began a new project called Wet-Dry which we believe will actually reduce waste by more than 60% going to the landfill.

This sort of initiative will continue and I believe that Ontario and indeed Canada have a lot of strategies to go forward and reduce our waste over time.

Mrs Fisher: My supplementary also focuses on the OECD report. It applauds Canada for its consensus building and consultative approach to environmental policies, and it notes that the concept of sustainable development

figures prominently in government policies and is well accepted by all major stakeholders. How does the minister plan to work with her provincial and federal colleagues to address two other areas of concern which were noted in the report, namely, climate change and air quality?

Hon Mrs Elliott: I am glad to report to my colleague that in fact with regard to air quality, in the recent meeting at Whitehorse, ministers of environment from across Canada reached an agreement to move forward to help in the production of cleaner fuels and more efficient vehicles. We are very much aware in Ontario that citizens are demanding cleaner air, and we are concerned about this. We are meeting with stakeholders to work towards initiatives that will continue to reduce emissions from exhaust pipes.

In the next week or so, I will be meeting with other ministers of environment and energy from across Canada and we will be very much dealing with the issues of climate change and greenhouse gases. We will be dealing with innovative and creative initiatives that we believe deal with voluntary challenge programs to bring private businesses alongside of governments to help them meet the challenges that not only face Canada but which face us globally.

CONTAMINATED SOIL

Mr Dalton McGuinty (Ottawa South): My question is for the Minister of Environment and Energy as well. I've just learned that over 100,000 tons of contaminated soil have been dug out of various industrial sites in Ontario during the past few months and secretly spread as cover at Ottawa area landfills. This soil contains toxic chemicals like benzene, which causes cancer, and toluene, which is toxic when inhaled.

For months now these chemicals have been evaporating into the air and they're putting the health of the people living near the dumps at risk. I've also learned that permission to use contaminated soil in this way, a way which has been banned in this province for over 20 years now, was specifically and secretly granted by your ministry in August of this year.

Minister, can you tell me why you changed the rules on contaminated soil, why you did so in secret and why you're placing the health of Ontarians at risk?

Hon Brenda Elliott (Minister of Environment and Energy): I would like to speak further with the member in regard to this issue. I will be happy to meet with him and discuss this in greater detail.

Mr McGuinty: Just so the minister understands the full impact of the policy change that has been made within her ministry, under the new rules she's going to permit 250,000 tons of contaminated soil to be used as cover every year for Ontario dumps. That's the equivalent of dumping on to the ground, every year, 150 tanker loads of gasoline, spreading it and allowing it to evaporate. Just so the minister recognizes this element as well, because she's been pushing the aspect of creating and promoting environmental industries in the province through her ministry, so far over 200 people employed in the private sector in the soil recycling business in this

province have been put out of work as a result of this policy change. So the policy is not only putting our health at risk, it's putting people out of work.

I want the minister's assurance, here and now, that effective immediately she will no longer permit contaminated soil to be used as cover in Ontario dumps.

Hon Mrs Elliott: There are a number of areas in Ontario that are struggling with the issues of contaminated soil. But contaminated soils are considered solid non-hazardous waste and may be disposed of at landfills approved to accept this material.

Where they meet the clean-up criteria for industrial land use and where their use as daily cover does not conflict with the approved operating requirements at the landfills and where they are a direct replacement for clean soils, they are allowed by this ministry to be used in that regard.

1450

EMPLOYMENT LEGISLATION

Mr Rosario Marchese (Fort York): My question is to the Minister of Citizenship, Culture and Recreation. Today the standing committee on general government heard depositions on Bill 8, an act to destroy fairness and justice for women, people with disabilities, people of colour and aboriginal people.

I want to ask a question on behalf of an Ontarian who appeared before our committee, a person with a severe disability. This is a man who desperately wants to work. He's been looking actively for work for 10 years and in that period he's found one day's work. He said because of the way he looks and the way he sounds, he cannot get a job. He cannot get his foot inside the door, even for an interview.

Since you're soon going to repeal employment equity, the bill that we had introduced, Bill 79, what will your government do to prevent people such as the person that I have described from spending the rest of their lives on social assistance?

Hon Marilyn Mushinski (Minister of Citizenship, Culture and Recreation): Let me start off by saying that this government is indeed absolutely committed to the interests and the dignity of persons with disabilities and is sensitive to the challenges that they face, both in the workplace and in the wider society.

This government is currently reviewing a number of initiatives to address the needs of people with disabilities. For example, work is under way in my ministry to develop the new equal opportunity plan. A range of disability issues will be explored within the framework of the equal opportunity plan and the human rights reform to address the issues of barriers to disability and disabled individuals.

Mr Marchese: It's very nice to hear that they're committed to the dignity of people and that they're sensitive to people's problems. The point is, Bill 79 was going to deal with that and bring about fairness to people who haven't had fairness for a long time. They're destroying, not building.

This plan that they are going to introduce is not a plan at all. It will not help. They introduced a bill to repeal the

Advocacy Act and other acts. It will hurt people with disabilities even more. In a market economy where employers are interested in the bottom line, very few, if anyone, will hire a person with a disability over an able-bodied person. Your plan creates and will create permanent unemployment for hundreds of thousands of people with disabilities.

Where are the savings, and what is the justice for people with disabilities, Madam Minister?

Hon Ms Mushinski: The fact is, and the honourable member knows this, Bill 79 killed job opportunity in this province. We are totally committed to creating jobs in this province. Clearly, as I've said before, if spending money, as the previous government did, were to create jobs, then everybody would have two jobs by now. Obviously, that is not the case. Bill 79 and the Advocacy Act killed any opportunity for job growth in this province, and we are totally committed to creating it in a commonsense way.

ELEVATOR INSPECTIONS

Mr Joseph N. Tascona (Simcoe Centre): My question is to the Minister of Consumer and Commercial Relations. Minister, as you know, the Provincial Auditor issued his report this week. The report raises concerns regarding the safety of elevating devices and inspection backlogs. What is your response to these concerns?

Hon Norman W. Sterling (Minister of Consumer and Commercial Relations): This item is very important to many Ontarians because of the huge number of elevators in the province. We should thank the Provincial Auditor for looking at this particular problem back in 1992, because he pointed out many inadequacies with regard to inspections and the safety of elevators. However, since that time elevator inspectors have increased from 24 in 1992 to about 43 today. As a result, overdue inspections have declined.

I am happy to report that the elevating devices identified by the Provincial Auditor as overdue for reinspection have been cleared. With respect to the 8,000 devices that were three years overdue for inspection, I've been assured that they will be cleared by the end of next month, and the remaining ones will be finished in the next 12 months. So while the Provincial Auditor has reported with regard to what the problem was before, the problem is now well in hand.

Mr Tascona: Minister, what has your ministry been doing specifically to enhance elevator safety?

Hon Mr Sterling: In addition to following along in the footsteps of my predecessor, who reacted to the Provincial Auditor pointing out the deficiencies, my ministry is acting as a leader with regard to elevator safety in North America.

My ministry is working with industry, labour and other ministries to formulate a comprehensive training, certification and licensing program for all elevator mechanics so that we will have the highest-trained people to look at elevators and ensure their safety.

We are also initiating a risk management system so that we can target our inspections to the devices which require more frequent inspections. In other words, we will

identify those elevators which are more likely to have a fault and direct our resources to those. This will of course ensure that the problems will be found.

The Speaker: A point of order? Under what standing order are you raising it?

Ms Marilyn Churley (Riverdale): Mr Speaker, on a point of privilege, I think: I would like to request the Minister of Consumer and Commercial Relations to allow me to keep my name in the elevators since I did such a good job in that—

The Speaker: Order, order.

MUNICIPAL GOVERNMENT

Mr John Gerretsen (Kingston and The Islands): I have a question for the Minister of Municipal Affairs and Housing. As I indicated in my response to the ministerial statement today, I understand that the minister has established an advisory group on municipal government reform whose purpose is “to assist the minister, and the government, as they seek to make meaningful reform to municipal structure and to legislation regulating municipalities.” On the second page of the terms of reference it states that the advisory group will not undertake consultation nor will it prepare a formal report.

My question simply is, why no public consultation, Minister?

Hon Al Leach (Minister of Municipal Affairs and Housing): I think, as the name infers, it's an advisory group and it's a committee that's put forward of people with vast expertise from around the province of Ontario to provide me with advice.

Ms Marilyn Churley (Riverdale): In secret.

Mr Gerry Phillips (Scarborough-Agincourt): Behind closed doors.

Mrs Elinor Caplan (Oriole): In secret.

Hon Mr Leach: It's not secret when you have people with great expertise from eastern Ontario, from western Ontario, from northern Ontario, from central Ontario, who know what they're talking about, to come forward and give us information to allow us to straighten out the mess that's been left to us over the last couple of years.

1500

Mr Gerretsen: That answer makes it even more interesting, because on the very front page of the memo it states, “The remaining advisory group members”—in addition to the parliamentary assistant—“are to be selected by Mr Hardeman from the municipal sector.” So he chose seven individuals who were of his choosing rather than of anybody else's choosing—AMO's choosing, for example—which is kind of interesting.

They've been given six months to report on that long list of matters that I raised with you before, Mr Minister. How can you possibly expect this group to come up with any kind of meaningful report, on just about every issue that municipalities deal with, within a six-month time period? How is that possible, Mr Minister?

Hon Mr Leach: As the member knows, when I addressed the AMO conference several months ago and I announced that we were setting up an advisory committee, I said specifically I wasn't looking for a group to

produce a three-inch report, that all of the information that has been gathered is out there in the province. I wanted individuals with specific information, specific expertise from around the province—people who have experience in rural affairs, people who have experience in urban affairs; from northern Ontario, from eastern Ontario, from western Ontario—to provide us with advice to ensure that we can produce changes to legislation that will help the people of Ontario for many years to come.

I can't understand how the honourable member can sit there—I think he was at the AMO convention, as a matter of fact—and not understand exactly what we're trying to do.

ENVIRONMENTAL ASSESSMENT

Ms Frances Lankin (Beaches-Woodbine): My question is to the Minister of Environment and Energy and it's with respect to her decision to recommend an exemption of the western beach tank tunnel from a full environmental assessment. And may I say, Madam Minister, that I am truly pleased that you have agreed to meet with me and a group of community environmentalists to discuss this before your final recommendation goes to cabinet.

I want to outline for you the reasons the previous minister decided to order a full environmental assessment: firstly, that Toronto had not explored alternative solutions to dealing with combined sewer overflow; secondly, that they had not identified or evaluated the environmental impacts of this project, particularly its implications for the EA that's going on on the expansion of the Ashbridges Bay sewage treatment plant; and thirdly, that Toronto had not consulted adequately with all the interested or affected parties across the waterfront.

Madam Minister, I would like your assurance that at that meeting that we attend with you, you will explain to us what has changed since that time, so you could explain the reasons for your decision. I guess, most importantly, what I would like you to do today is assure me that you really intend to listen to the participants of that meeting and that your decision is not a fait accompli and that there is a chance, if we can convince you of our arguments, that the full environmental assessment might still proceed.

Hon Brenda Elliott (Minister of Environment and Energy): We will have a full and open and honest discussion on the issue when we meet.

MOTIONS

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): I move that notwithstanding standing order 96(h), the requirement for notice be waived with respect to ballot item number 9 and that Mr Pouliot and Mr Bisson and Ms Castrilli and Mr Hoy exchange places in the order of precedence for private members' public business.

The Speaker (Hon Allan K. McLean): Is it the pleasure of the House that the motion carry? Carried.

Hon Mr Eves: Mr Speaker, I believe we have unanimous consent to move a motion with respect to estimates.

The Speaker: Is there unanimous consent? Agreed.

ESTIMATES

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): I move that notwithstanding standing order 62, the standing committee on estimates present one report to the House on March 18, 1996, with respect to all estimates and supplementary estimates considered pursuant to standing orders 59 and 61;

That in the event the committee fails to report the said estimates on March 18, 1996, the estimates and supplementary estimates be deemed to be passed by the committee and be deemed to be reported to, and received by, the House.

The Speaker (Hon Allan K. McLean): Is it the pleasure of the House that the motion carry? Carried.

Hon Mr Eves: Mr Speaker, I believe that we have unanimous consent to correct the record with respect to a motion passed by the House with respect to consideration of Bill 8.

The Speaker: Do we have unanimous consent? Agreed.

COMMITTEE SITTINGS

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): We passed this motion the other day. I would like to inform the House that we have unanimous consent, I believe, among all three parties, to remove the last line from that motion, which said, "and that consideration of Bill 8 be concluded no later than 6 pm on Monday, November 27, 1995."

There was some concern expressed by members of the third party that this could be interpreted to be a time allocation motion. I can assure you, Mr Speaker, that that was not the intent and that all three parties have agreed to delete that line from the motion.

It is my understanding that the subcommittee has agreed to complete the bill by that date, but if it does offend the third party, we have no problem with removing that line from the motion.

The Speaker (Hon Allan K. McLean): The last line is to be deleted. Is it the pleasure of the House that the motion carry? Carried.

BUSINESS OF THE HOUSE

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): Mr Speaker, I believe we have unanimous consent so I can read the weekly business statement.

Pursuant to standing order 55, I wish to indicate the business of the House for the week of November 20, 1995.

On Monday, November 20, we hope to deal with and pass the motion for interim supply.

Tuesday, November 21, will be an opposition day standing in the name of the leader of the third party.

On Wednesday, November 22, and Thursday, November 23, we would like to do second reading of Bill 19, An Act to repeal the Advocacy Act, 1992, revise the Consent to Treatment Act, 1992, amend the Substitute Decisions Act, 1992, and amend other acts in respect of related matters.

For Thursday morning's private members' business, we will consider ballot item number 7, standing in the name of the member for Durham York, and ballot item number 8, standing in the name of the member for Ottawa South.

ECONOMIC STATEMENT

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): I would also like to indicate to the House at this time that the date for the economic statement for the fall will be Wednesday, November 29, 1995, at 4 pm. I believe we have unanimous consent for the House to adjourn after routine proceedings and reconvene at 4 pm on that date for the reading of that statement.

1510

PETITIONS

QUEEN STREET MENTAL HEALTH CENTRE

Mr Tony Ruprecht (Parkdale): This concerns a jail for criminally insane people.

"Whereas the PC government is going to open a 20-bed forensic unit for the criminally insane at the Queen Street Mental Health Centre; and

"Whereas the nearby community is already home to the highest number of ex-psychiatric patients and social organizations, in hundreds of licensed and unlicensed rooming houses, group homes and crisis care facilities in all of Canada; and

"Whereas there exist facilities that could be expanded to assess and treat the criminally insane; and

"Whereas no one was consulted, not the local residents, not the business community, not leaders of community organizations, not education and even child care providers and"—it says here—"not even the local member of the provincial Parliament for that riding was consulted;

"Therefore, we, the undersigned residents and business owners of our community, urge the PC government of Ontario and the Minister of Health to immediately stop all plans to accommodate the criminally insane in an expanded Queen Street Mental Health Centre until a public consultation process is completed."

I have signed my name to this document.

LABOUR LEGISLATION

Ms Frances Lankin (Beaches-Woodbine): I have a number of petitions from the residents of my constituency. It reads:

"To the Legislative Assembly of Ontario:

"Whereas the Minister of Labour has introduced legislation, Bill 7, to drastically amend the Labour Relations Act, the Employment Standards Act and other labour legislation which had been brought forward by successive Progressive Conservative, Liberal and New Democratic governments in recognition of the legitimate rights of employees in Ontario; and

"Whereas the implementation of Bill 7 will undermine the fundamental, democratic rights of employees to organize and to have access to collective bargaining; and

"Whereas employers have raised concerns about how Bill 7 will result in an increased number of strikes; and

"Whereas the Minister of Labour is proceeding with Bill 7 without consultation with employee groups and without conducting public hearings;

"We, the undersigned, petition the Legislative Assembly of Ontario to urge the Minister of Labour to withdraw Bill 7."

I've affixed my signature to this petition.

RUNNYMEDE CHRONIC CARE HOSPITAL

Mr Derwyn Shea (High Park-Swansea): I rise today to present a petition containing thousands of names of constituents from High Park-Swansea who are outraged by the broken promises of the previous Liberal and NDP governments that have now placed the future of Runnymede Chronic Care Hospital in jeopardy.

Both governments promised an \$18-million grant for a new facility if the community raised \$10 million. The community accepted that challenge and the community achieved that objective several years into the NDP mandate, but the promise was ignored and the community's pleas fell on deaf or indifferent ears.

This petition reflects strong public support for the redevelopment of Runnymede Chronic Care Hospital on its present site, as promised by the Ministry of Health in 1987. It is signed by thousands upon thousands of taxpayers, staff, patients, supporters and neighbours and representatives of major chronic and long-term care associations.

I am privileged to add my name and strong support to this petition.

HOSPITAL RESTRUCTURING

Mr Monte Kwinter (Wilson Heights): I have a petition to the Legislative Assembly of Ontario.

"Whereas the report of the Metropolitan Toronto District Health Council hospital restructuring committee has recommended that North York Branson Hospital merge with York-Finch Hospital;

"Whereas this recommendation will remove emergency and inpatient services currently provided by North York Branson Hospital, which will seriously jeopardize medical care and the quality of health to the growing population which the hospital serves, many being elderly people who in numerous cases require treatment for life-threatening medical conditions;

"We petition the Legislative Assembly of Ontario to reject restructuring contained within the report of the Metropolitan Toronto District Health Council hospital restructuring committee as it pertains to North York Branson Hospital so that it retains, at minimum, emergency and inpatient services."

I've affixed my signature to this petition.

COMMON SENSE REVOLUTION

Ms Shelley Martel (Sudbury East): I have a petition signed by 41 members of the Rockview Seniors Co-op and the Steelworkers Retirees of Canada, Chapter 2, in Sudbury. It reads as follows:

"To the Honourable Lieutenant Governor and to the Premier:

"We, the undersigned, seniors, families, supporting groups and people of Ontario are now petitioning you and

all members of the Ontario government to stop the Common Sense Revolution which deprives the elderly and favours the greedy, non-caring rich.

"Some of our problems are:

"Health care comes first: hospital closures, cuts plus services. Other services affect seniors very seriously.

"Affordable housing: The co-op and non-profit housing program should have been increased and subsidized to provide for the growing numbers of seniors, instead of cutting these back.

"Thirdly, pensions should be properly indexed to the true cost of living, with no clawbacks.

"Fourthly, welfare payments should be adjusted to the needs of many unfortunate seniors.

"Finally, unemployment ranks very high among the concerns that seniors have with respect to the layoffs of their sons, daughters and grandchildren."

I agree with this petition and I have affixed my signature to it.

COMMUNITY-BASED JUSTICE OPTIONS

Mr Doug Galt (Northumberland): I have a petition signed by 44 constituents from Northumberland and it's addressed to the Legislative Assembly of Ontario.

"Whereas during the 1970s the government of the day gained positive recognition through measures that involved local communities and the provision of legal services; the criminal justice field began to recognize the benefits of community-based justice options;

"The non-profit agencies across Ontario have developed effective programs and present a strong local face to the justice system while supporting partnerships with an ever-widening community base. Community programs have proven to be effective and reduce the cost of incarceration while promoting public safety; and

"Whereas community-based justice programs, such as diversion alternative measures, bail supervision, community service orders etc have proven value; the screening and supervision of accused and offenders within well-defined programs contribute to public safety; for over 20 years community-based options have made a positive contribution to the welfare of communities in Ontario;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We believe these programs must not be viewed as dispensable. As with many recent cuts, short-term fiscal expediency holds no long-term value. Credible links with the community and quality programs for the citizens of Ontario must be maintained. We ask the Legislative Assembly to maintain these programs in their current state."

HIGHWAY SAFETY

Mr Alvin Curling (Scarborough North): This is to the Legislative Assembly of Ontario.

"Whereas the Ministry of Transportation is intent on reducing northern winter road maintenance services; and

"Whereas such downgrading places the lives of northern residents at undue and unnecessary risk;

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow these reductions in service and

to guarantee that winter roads across the northern regions of the province receive the necessary maintenance to ensure the safe passage of drivers."

I have affixed my signature to this petition.

ST STEPHEN'S SECONDARY SCHOOL

Mr John O'Toole (Durham East): It's my pleasure to rise today to present a petition to the Minister of Education, the Honourable John Snobelen.

"We, the undersigned, petition Parliament requesting that the scheduled opening of St Stephen's Secondary School not be delayed unnecessarily."

They also make reference to the annual lease cost of \$600,000 per year, which is not in accord with the government's plan to be fiscally responsible.

"We urge you to review the school's plan and give us the go-ahead to provide excellent basic facilities to our Catholic community and students across the community and economic sense for taxpayers."

HIGHWAY SAFETY

Mr Michael Gravelle (Port Arthur): Petitions continue to come pouring in to all the northern members related to the downgrading of winter road maintenance. The petition reads:

"Whereas the Ministry of Transportation is intent on reducing northern winter road maintenance services; and

"Whereas such downgrading places the lives of northern residents at undue and unnecessary risk;

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow these reductions in service and to guarantee that winter roads across the northern regions of the province receive the necessary maintenance to ensure the safe passage of drivers."

I'm proud to sign my signature to it.

AMALGAMATION OF SCHOOL BOARDS

Mr John R. Baird (Nepean): I have a petition from the parent communication committee of the Carleton Roman Catholic School Board and its chair, June Flynn-Turner, which reads as follows:

"To the Honourable Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned ratepayers of Carleton, beg leave to petition the Parliament of Ontario as follows:

"We urge the Legislative Assembly not to support the amalgamation of the Carleton Roman Catholic School Board with the Ottawa Roman Catholic Separate School Board and/or the Renfrew County Roman Catholic Separate School Board for the following reasons:

"The task force rationale for reducing the number of school boards is seriously flawed and the recommendations are based on false assumptions. Amalgamation will result in reduced educational services and decreased access to the educational system by ratepayers and parents.

"Further, major tax increases will inevitably result from an amalgamated board."

I'll ensure that the Sweeney commission gets a copy of this petition as well.

HIGHWAY SAFETY

Mr Frank Miclash (Kenora): My petition reads:

"To the Legislative Assembly of Ontario:

"Whereas the Ministry of Transportation is intent on reducing northern winter road maintenance services; and

"Whereas such downgrading places the lives of northern residents at undue and unnecessary risk;

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow these reductions in service and to guarantee that winter roads across the northern regions of the province receive the necessary maintenance to ensure the safe passage of drivers."

I have affixed my name to that petition as well.

The Speaker (Hon Allan K. McLean): The member for Lambton.

PORNOGRAPHY

Mr Marcel Beaubien (Lambton): Thank you, Mr Speaker, I finally made it. I have a petition for the Legislature of Ontario and it reads as follows:

"Herewith, during this White Ribbon Against Pornography Week, I express concern for the skyrocketing, yet largely unregulated, proliferation of pornography in Canada and its potential harmful impact on men, women and children/youth.

"Please work to enforce systems of protection that will begin to limit the access of pornography into our homes and communities."

1520

HIGHWAY SAFETY

Mr David Ramsay (Timiskaming): "To the Legislative Assembly of Ontario:

"Whereas the Ministry of Transportation is intent on reducing northern winter road maintenance and services, and

"Whereas such downgrading places the lives of northern residents at undue and unnecessary risk,

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow these reductions in service and to guarantee that winter roads across the northern regions of the province receive the necessary maintenance to ensure safe passage of drivers."

I will affix my signature to this.

EGLINTON WEST SUBWAY

Mr John Gerretsen (Kingston and The Islands): I have a petition which is addressed to the Legislature of Ontario.

"Whereas all provincial parties, including the Progressive Conservative Party, supported the construction and funding of the Eglinton subway line; and

"Whereas all required contracts and agreements were finalized and the construction of the Eglinton subway line was progressing as scheduled; and

"Whereas on Friday, July 21, 1995, the Harris government stopped the construction of the Eglinton subway line without public debate and consultation"—it's amazing how often that comes up—"and

"Whereas by stopping the construction of the Eglinton subway line the Harris government eliminated over 1,200 jobs, 10,000 future jobs, derailed the subway link to the Pearson International Airport and impeded the growth of new development and business within the city of York; and

"Whereas to date \$123 million worth of contracts have been committed and \$50 million has been spent; and

"Whereas the Harris government will waste millions of taxpayers' dollars on filling the holes and on the legal costs due to the broken contracts;

"We, the undersigned, petition the Legislature of Ontario as follows:

"That the government of Ontario immediately resume the complete construction of the Eglinton subway line."

This is signed by some 50 members of the public, and I will put my signature.

HIGHWAY SAFETY

Mr Jean-Marc Lalonde (Prescott and Russell): "Whereas the Ministry of Transportation is intent on reducing northern winter road maintenance services, and

"Whereas such downgrading places the lives of northern residents at undue and unnecessary risk,

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow these reductions in service and to guarantee that winter roads across the northern regions of the province receive the necessary maintenance to ensure safe passage of drivers."

I also add my signature on this one.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON ESTIMATES

Mr Curling from the standing committee on estimates presented the committee's report on the estimates selected and not selected by the standing committee for consideration.

The Speaker (Hon Allan K. McLean): Pursuant to standing order 60, the report of the committee is deemed to be received and the estimates of the ministries and offices named therein as not being selected for consideration by the committee are deemed to be concurred in.

INTRODUCTION OF BILLS

LAND USE PLANNING AND PROTECTION ACT, 1995

LOI DE 1995 SUR LA PROTECTION ET L'AMÉNAGEMENT DU TERRITOIRE

Mr Leach moved first reading of the following bill:

Bill 20, An Act to promote economic growth and protect the environment by streamlining the land use planning and development system through amendments related to planning, development, municipal and heritage matters / Projet de loi 20, Loi visant à promouvoir la croissance économique et à protéger l'environnement en rationalisant le système d'aménagement et de mise en valeur du territoire au moyen de modifications touchant des questions relatives à l'aménagement, la mise en valeur, les municipalités et le patrimoine.

The Speaker (Hon Allan K. McLean): Is it the pleasure of the House that the motion carry? Carried.

PUBLIC HOSPITAL FOUNDATIONS ACT, 1995

LOI DE 1995 SUR LES FONDATIONS POUR LES HÔPITAUX PUBLICS

Mr Hastings moved first reading of the following bill:

Bill 21, An Act to establish public hospital foundations / Projet de loi 21, Loi créant des fondations pour les hôpitaux publics.

The Speaker (Hon Allan K. McLean): Is it the pleasure of the House that the motion carry? Agreed.

Mr John Hastings (Etobicoke-Rexdale): The bill establishes a foundation for each public hospital in Ontario or group of public hospitals in Ontario as designated by the regulations. Each foundation is a crown agency and a corporation without share capital. The objects of a foundation are to solicit, receive, manage, transfer and distribute real and personal property to support education, research or any other purposes of the public hospital or group of public hospitals for which the foundation is established.

ORDERS OF THE DAY

WORKERS' COMPENSATION AND OCCUPATIONAL HEALTH AND SAFETY AMENDMENT ACT, 1995

LOI DE 1995 MODIFIANT LA LOI SUR LES ACCIDENTS DU TRAVAIL ET LA LOI SUR LA SANTÉ ET LA SÉCURITÉ AU TRAVAIL

Resuming the adjourned debate on the motion for second reading of Bill 15, An Act to amend the Workers' Compensation Act and the Occupational Health and Safety Act / Projet de loi 15, Loi modifiant la Loi sur les accidents du travail et la Loi sur la santé et la sécurité au travail.

Mr Douglas B. Ford (Etobicoke-Humber): I'm delighted to stand today in support of Bill 15. In doing so, I congratulate my colleague the Honourable Elizabeth Witmer for bringing forth this bill.

I am pleased to see that this bill addresses the need for a new system of governance, measures for improved financial accountability, greater attention towards value-for-money audits, as well as a means to tackle fraud.

In the past decade, the workers' compensation system has been undermined by mismanagement and a board structure that hasn't worked. This structure has proven to be divisive and confrontational, which has led to deadlocks and inaction on crucial decisions. The result is a system that has moved to the brink of financial crisis. Clearly, the board of directors has failed to take the necessary actions to deal with the serious problem facing the Workers' Compensation Board.

This inability to take action on key issues has contributed greatly to the growth of the Workers' Compensation Board's unfunded liability, which has grown rapidly over the past decade, from \$2.7 billion in 1984 to an unsustainable \$11.4 billion in 1994. The unfunded liability threatens the system's ability to meet its financial obligations to all current and future injured workers.

Overdue has been legislation that will replace the current board of directors with a multistakeholder board. This new board should have broader representation not

only for employers and workers but also from professional groups, such as those from the medical and insurance professions.

In order to overhaul the Workers' Compensation Board, not only do we need diverse leadership, but we need effective leadership. Such leadership must be demonstrated by providing the minister with a strategic plan to outline the Workers' Compensation Board's priorities and policies.

1530

With this, financial accountability measures must be in place to ensure that the decisions of the Workers' Compensation Board support the goal of a financially sustainable workers' compensation system. Board members must act in a financially responsible manner.

As part of the financial accountability framework, value-for-money audits should not be forgotten. Independent audits must be undertaken to ensure the programs are delivered in an effective and efficient manner.

Another area that requires utmost attention is the matter of fraud. Like private insurance firms, the Workers' Compensation Board has been subject to abuses, such as fraudulent benefit claims and a loss of revenue, which have damaged its financial position. As well, the Workers' Compensation Board must be encouraged to share information with other organizations and other jurisdictions. In order to detect abuses in the system, I am pleased that this legislation includes measures to stem the loss of revenue owed to the Workers' Compensation Board in order to prevent fraud.

Over the past several years, the system has moved away from its original mandate as a workplace accident and insurance plan and has begun to compensate for ailments that are not strictly work-related. As a result, Ontario workers' compensation premiums, the second highest in Canada, are a major obstacle to investment and job creation, putting the province at a competitive disadvantage in relation to other jurisdictions.

The reform initiatives that include financial accountability measures and a multistakeholder board of directors will provide badly needed leadership to overhaul the Workers' Compensation Board. This will provide the groundwork for more effective decision-making.

In addition to the new governance structure and financial accountability measures, annual value-for-money audits and stronger anti-fraud provisions will ensure Workers' Compensation Board programs are efficient and financially sound. These measures set the stage for further reforms which will eliminate the unfunded liability and fulfil our commitments on benefit levels, waiting periods, entitlement and assessment rates.

Once again, I congratulate the minister for bringing forth this bill, because in addition to reinforcing the Workers' Compensation Board, this bill will complement our mandate to restore prosperity in Ontario.

The Deputy Speaker (Mr Bert Johnson): Comments or questions? Further debate?

Mr Jean-Marc Lalonde (Prescott and Russell): I would first like to congratulate my colleague from Windsor-Walkerville for his passionate speech on Bill 15

given on Tuesday in this House. The concerns he expressed with regard to this bill are concerns that I and the people of Prescott and Russell also share.

J'aimerais toucher cet après-midi quelques points qui troublent les employeurs et les employés accidentés de ma circonscription.

Premièrement, nous avons des objections avec le processus par lequel ce gouvernement tente d'entreprendre la réforme de la Commission des accidents du travail. Nous avons également des objections avec la façon de laquelle il propose de traiter de la question de santé et de sécurité au travail.

En opposition, les Conservateurs prétendaient avoir un plan concret pour réformer la CAT. Aujourd'hui, avec le projet de loi 15 que nous avons devant nous, il devient évident que ce n'est pas du tout le cas.

Ils ne semblent pas trop savoir comment s'y prendre. Je vous suggère que c'est pourquoi ce projet de loi ne traite pas des questions les plus difficiles, les plus complexes, les plus fondamentales à la réforme de la CAT.

Je vous parle évidemment de la question des niveaux de bénéfices, de la question de la période d'attente, de la question des limites aux droits des accidentés.

In fact, the whole question of benefit level, of waiting period and of limited entitlement has effectively been put on hold until some time next spring. I suggest to the members of this House that this indicates that the Conservatives clearly do not have a plan for genuine, valid reform of the WCB.

I suggest this because after looking at Bill 15, all I see is a little tinkering here and a little tinkering there, nothing more and nothing less. But instead of tinkering with WCB reform bit by bit, my colleagues and I call upon this government to present its entire reform package. Put it before the Legislature; put it before the people of Ontario; put it to a full debate. Only then will we be able to turn the WCB around and get it working again for both employers and injured workers alike.

Par rapport à la question de santé et de sécurité au travail, nous avons des inquiétudes vis-à-vis l'imposition des règlements. Nous croyons que c'est bel et bien l'intention de ce gouvernement de transférer le pouvoir d'imposition du ministère du Travail à la Commission des accidents du travail. Cela réduirait les coûts opérationnels du gouvernement aux dépens de la CAT et, par conséquent, aux dépens des employeurs. Ce n'est pas seulement un transfert de pouvoir que ce gouvernement recherche, mais bel et bien le transfert de la dette.

J'aimerais à ce moment-ci examiner quelques-unes des promesses des Conservateurs par rapport à la réforme de la CAT.

Premièrement, les Conservateurs ont promis de réduire les primes de déboursement des employeurs de 5 %. Il est intéressant de noter qu'il n'y a aucune mention de cette réduction dans le projet de loi 15. Ils parlent plutôt d'un gel des primes, mais notre parti va leur donner la chance de tenir leur promesse.

Nous allons introduire un amendement proposant une réduction des primes de 5 %. S'ils votent contre, nous

pourrions ajouter une autre promesse à la liste grandissante des promesses brisées par les Conservateurs.

Another commitment the Conservatives made was to end the practice of making patronage appointments to senior management positions at the WCB. Yet, lo and behold, under this bill all appointments will be made by the Lieutenant Governor in Council.

Nous invitons nos collègues opposés à exiger un concours ouvert pour remplir les postes des cadres supérieurs à la CAT. Nous pourrions former un comité d'embauche composé de la ministre du Travail, d'un député de chaque parti représenté en Chambre et du président du Secrétariat du Conseil de gestion. Voilà la façon de démocratiser la CAT. Mais la démocratie ne semble pas trop intéresser mes collègues de l'autre côté. Ils préfèrent ne pas faire de consultations. Ils préfèrent rendre la CAT responsable devant la ministre du Travail plutôt que devant l'Assemblée législative.

Le plan stratégique de cinq ans, l'énoncé des priorités et l'énoncé de la stratégie d'investissement de la CAT devraient tous être déposés devant l'Assemblée. Ce serait non seulement dans l'intérêt des employeurs et des travailleurs accidentés, mais aussi dans l'intérêt du grand public de faire ainsi.

We call upon this government to give the Legislature and not the Minister of Labour the power to require program reviews and audits. It's not only in the best interests of employers and injured workers, but it is also in the public's best interests.

The multistakeholder model proposed is one that my colleagues and I support, but we want specifics with respect to who will sit on the board. My colleague from Windsor-Walkerville mentioned Tuesday that we will bring forward amendments addressing this issue.

Nous voulons un nombre égal de représentants des employeurs et de représentants des employés. Nous voulons également spécifier dans le projet de loi en question quels seront les autres secteurs représentés à la table. Les gens de Prescott et Russell ont des besoins particuliers. Les gens de l'Est ontarien ont des besoins particuliers. Les francophones de cette province ont des besoins particuliers. J'ose espérer qu'ils seront tous bien représentés à la Commission. J'ose espérer que nous allons voir un représentant francophone nommé à la CAT.

But what concerns me the most is the eventual outcome for the injured worker. Let there be no illusion, this government is going to cut benefits to injured workers. They are going to do it by redefining the word "accident." They are going to do it by redefining what it means to be injured. We've seen what happens when the Conservatives start redefining things. Disabled people and seniors find themselves hit by social assistance cuts. Let there be no illusion, come springtime injured workers in this province will be seeing longer waiting periods for smaller benefits.

Les travailleurs accidentés de Prescott et Russell, et de la province toute entière, vont souffrir davantage sous les réformes que s'appête à faire ce gouvernement. Ils vont voir une réduction de leurs bénéfices et ils devront attendre plus longtemps avant de ne les recevoir. C'est inacceptable.

En conclusion, je tiens à féliciter encore une fois mon collègue de Windsor-Walkerville pour son allocution de mardi.

1540

The Deputy Speaker: Questions or comments?

Mr Tim Hudak (Niagara South): Just to make some comments on that and the necessity for change, I had the opportunity to do a survey in my riding on workers' compensation, both employers and labourers, and I have some results back that I shared with the minister today.

Let me give you an example. When I asked if WCB reform should be a high priority of this government on a scale of one to five, with five being a top priority, the mean score was 4.3. When I asked how the WCB influenced the province's competitive position in terms of creating jobs and keeping the system active, the mean score was 4.1.

Mr Frank Miclash (Kenora): On a point of order, Mr Speaker: Are the comments and questions not to be directed to the speaker we just heard?

The Deputy Speaker: I haven't seen anything that doesn't indicate that he's responding.

Mr Hudak: Let me just go on—I have a couple of surveys in front of me here—and talk about Peninsula Plastics. I had a response from Peninsula Plastics of Fort Erie, a small employer, 25 to 50 people. They recommended moving away from a board of directors and mixing the members, which this bill does, mixing the board of directors in terms of a multipartite body. They discussed a lot of dissatisfaction. They called WCB about claims; they got very little input into it this way, WCB way or no way. I think this bill will make necessary changes.

Mentholatum, an employee of Mentholatum of Fort Erie, Ontario, wants the WCB to report to someone, some body or some individual, the minister I think, that cares about controlling spending. I know this is another aspect of the bill.

At Marsh Engineering of Port Colborne, also in my riding, a larger employer, near 200 employees, they say to me, "Make the administration accountable and eliminate the operating deficit." Again, another element in this Bill 15.

These are changes that people in Niagara South want and that's the kind of change that's coming through Bill 15.

Mr John R. Baird (Nepean): My friend the member for Prescott and Russell, who's a very hardworking member of the House, I'll acknowledge, prepared a speech where he dealt primarily with issues that weren't even in the bill. He talked about the reductions to injured workers and a number of things that were coming later. His opposition critic, the member for Windsor-Walkerville, has indicated he is going to make those amendments to this bill, which is rather strange.

This bill doesn't contain many of the things you debated in your speech. These are things albeit that are commitments of the government, and we'll follow through in action in some time with the full discussion paper and report of my colleague the member for Burlington South. I encourage him to read the bill and

discuss what's in it, because I think the member would agree with most of it.

The Deputy Speaker: Any further comments or questions? Then the Chair recognizes the member for Prescott and Russell.

Mr Lalonde: I'm surprised my colleague from Nepean would bring those points to my attention, but there's no place in this bill that I recognize what the Common Sense Revolution mentioned during the whole campaign, that we would reduce by 5%. I thought this was a very important point, because I'm sure some of the people have supported you in that effect, but there's no place we see that.

Also the composition of the board: There's no place in there that I could see that, except that everything will be done by the Lieutenant Governor in Council.

The Deputy Speaker: Further debate? The Chair recognizes the member for Thorold-Welland, or Welland-Thorold.

Mr Peter Kormos (Welland-Thorold): It matters not, Speaker. Thank you kindly. Thorold-Welland, Welland-Thorold, they're all good folks in two hard-working communities down there in the Niagara region.

Let me tell you, there are generations of people in those communities who have worked in the steel factories, in the pipe mills, in the paper mills. There's a legacy of pain and tragedy that dates back, oh, beyond mere decades, beyond this century. It dates back to the building of the Welland Canal, not the present one, nor the one that preceded that, but the one that preceded that, when working people gave their lives or their limbs or their sight, their ability to walk around, their ability to carry their children, their ability to work, to help generate the great economic and industrial base that is very much part and parcel of the Niagara region.

These people made sacrifices that their corporate bosses weren't prepared to make. These people created the wealth that subsequent generations have enjoyed—I'll concede sometimes squandered—but these are the people who built industrial Canada.

As we know and as we heard during the course of commentary about Bill 15, I'm sure everybody now knows the history of workers' comp, effectively a no-fault system of insurance, and the historic tradeoffs in the early part of the century, where tort access to the malfeasance or negligence of an employer was traded off in exchange for a system of compensation for workers who made that sacrifice in the workplace.

You know, Speaker, and I'm confident you've attended the day of mourning each year in our respective communities for injured workers, those who have paid with their lives and others who have paid with their wellbeing and their health to generate the wealth in this province and in this country. Those days of mourning are poignant events, I'm sure, for all of us and I know certainly for you, Speaker; I know for you.

I know that you are reminded on those annual days of mourning for injured workers in your community of the need to ensure that the people who generate our wealth

with their bodies and with their minds are cared for in a fairminded and evenhanded way, are ensured of income replacement, and as importantly, are guaranteed access to rehabilitation and to health care.

I was eager to support the right of my friend Mr Hudak from Niagara South, because he obviously has canvassed some of the employers in his riding, and I tell him I agree with him in one very important respect.

Any of us who has been dealing with workers' compensation claimants in our offices over the course of the last five, eight, 11 or 12 years, in some cases for decades, in the case of some of my older colleagues, like Mr Wildman from the north, and witnessed the daily plea from hardworking, honest people, people who never had any intention of being injured in the workplace, people who have no desire to be a part of any compensation system, people who would very much like to have their bodies whole and complete, and people who would very much like to continue to work at their trade or their occupation and continue to support their families and see their children grow up and enjoy some of the wealth that they helped create, any of us who have witnessed that, day in and day out—and I know my constituency office oftentimes opens on Saturdays, as do others, to accommodate these people. We have one staff person dedicated only to dealing with workers' compensation claimants.

1550

Is there a need for change? You bet your boots there's a need for change. You bet your boots there is. What's sad in the context of this discussion, this debate about Bill 15, is that the avenue to develop meaningful change was in existence prior to June 8.

You know that I haven't hidden my light under a bushel with respect to the last government. There have been times when I've been critical, but the last government struck, and I was proud of it having struck, a royal commission, one that represented a broad cross-section of the productive community, one that represented and had representation on it from working people, had representation on it from the business community. It was a balanced, fair and evenhanded approach and had a broad, broad mandate to make inquiries throughout the province to investigate the status quo, and, more importantly, to examine ways of improvement.

Let me tell you, were they conscious of the so-called unfunded liability? Of course they were. But they were also well aware that during some initial reform of the board, including the appointment of a bipartite board, the unfunded liability had been reduced a considerable extent. There was a board that made real progress over the course of some six months, until it was fired, without cause and certainly with a motive that's, at the very least, suspect, by the present government.

This commission travelled around the province. I appeared in front of this commission when it was in St Catharines, visiting and eager to hear from workers and business people and employers and families of injured workers, when they were in St Catharines, accommodating the people of Niagara. They travelled from the north to the south, the east to the west. They were in Sudbury.

People were eager to speak to them, to tell them about their concerns about the workers' compensation system in this province, again reflecting all points of view, reflecting points of view covering the whole spectrum, from the bosses down to the workers, when they had to say: "Thanks, but no thanks. The new government won't let us carry on with this very important, this crucial inquiry into the status quo and into information that would enable us to make recommendations about its improvement." Again, improvement from everyone's perspective.

I know you would have been there if you could, Speaker, in St Catharines this Tuesday past, November 14, when my colleague Dave Christopherson and I sat and heard from a number of people representing large numbers of people in Niagara region, about what initially was supposed to have been restricted to Bill 7, which as you know—you were here and I saw the shame on your face when this government rammed Bill 7 through. I saw the disdain in your eyes when you understood that this government wasn't going to allow public hearings.

So you see, although the attendance of my colleague Mr Christopherson with me in Niagara at St Catharines last Tuesday was to have been to hear the concerns and the frustration and the sadness of any number of delegations about Bill 7, we also heard about Bill 15. There's been some criticism about, on occasion, the far-ranging discussion during the course of this debate about Bill 15, some suggestion that, "Oh, you're not restricting yourself to the pure contents of Bill 15." But we know Bill 15 is but the first shoe to hit the floor. It opens the door. It doesn't just open the door, it drives a Mack truck right through the wall that knocks the wall down, because we know what's coming.

We read and listened to the comments of the minister at the time of the introduction of Bill 15, and over a short period of time we've become somewhat sensitized to the code language of this government. We don't need little decoder rings like some of my colleagues on the government benches wear to understand what this means. We understand what this purported attack on abuse of the system means. It's going to mean more injured workers suffering the pain and the frustration—you've met them, Speaker. You know the frustration and the anger and despair, and indeed the shame, that preoccupies an injured worker for whom vocational rehab is neither adequate nor present and who, at an age far too young, is forced to live with, well, chronic pain.

Chronic pain, Speaker? You talk to your constituents with chronic pain. Are you aware of the struggle of advocates for injured workers in front of WCAT to establish chronic pain as a compensable injury? Do you understand what it means for what was a healthy, fit young woman or man to fall victim to an industrial accident and to be forced to live the rest of their lives knowing that not even the strongest painkillers are going to permit them a full night's sleep? Not even the strongest of narcotics are going to permit them to walk about and do daily things the way you and I can. You know that, Speaker, I know you do.

This isn't a reform of workers' compensation, and the fact that it follows so closely on the heels of Bill 7 is no

mistake. This government's beat the hell out of working people in the province. This government said that this province of Ontario, this new revolutionary province, that Mike Harris's revolution will not tolerate working people exercising their right to form a union, to gather and speak as one voice.

And now it's telling those working people with the broken backs and the shattered lives that there's no place for them in Ontario either, that they're not going to be fully compensated, that they're not going to enjoy the evenhandedness that's inherent in a bipartite board, that the fact that they gave their health in the workplace matters not to this government.

Because you know what's happening next, Speaker? When was the last time you were in the office of the worker adviser serving your area? When was the last time you were there, Speaker, because you've seen the backlog that those people have. I know the hardworking people in the Thorold office of the worker adviser are plagued with files piled higher and higher as they advocate for injured workers who enter this Byzantine process wherein rights are irrelevant and wherein the employer's interests are too often overly represented while the injured worker stands hat in hand, if indeed he or she can stand, and if indeed their hands aren't so crippled or sufficient fingers are still there to hold that hat.

1600

We know what's happening next. We know what streamlining is. Come on, please. We know what the streamlining's all about. It's about take away. It's about destroy, not build. It's about destroy. This is the Teperman government. There ought to be big signs saying, "Warning—Destruction Work in Process." Because let me tell you this: This government hasn't listened to folks down in Welland-Thorold and across the Niagara region. This government hasn't listened to the injured workers. This government isn't trying to build a better system so that injured workers can be treated fairly and compensated adequately.

This government hasn't listened to their advocates, be it the volunteer groups of injured workers who give of their time to help their sisters and brothers who are injured in the workplace, be they union or non-union, be it the staff at offices of the worker adviser. I challenge any member of this Legislature who intends to vote in support of this bill to go talk to the advocates in their regional office of the worker adviser before they do that. I challenge them. I challenge you to sit beside those people as the crippled workers amble in crushed, their bodies crushed in the workplace and their spirits crushed by a board that has become increasingly anti-worker.

It's one thing to suffer a broken arm. I have some prospect, some hope of it being healed, of recovering, and if not a full recovery, perhaps some modest use of the arm. But when you crush the spirit and the soul, you've stolen it. You've stolen far more than imposing a mere physical injury.

So, you see, go talk to the people in the office of the worker adviser, who already have delays of a year, a year and a half, because you know what? I tell you this: If the Tory members support this bill, I tell you what's next on

the chopping block. It is the office of the worker adviser. There won't be any advocacy for injured workers in a workers' compensation system that is going to be weighted even heavier on behalf of the interests of bosses.

Let me put this to you: If bosses are so concerned about their assessments, their contribution to a workers' compensation system, why wouldn't they express that concern by way of enhanced safety in the workplace? If this government is so concerned about the cost of fairly compensating injured workers, why have they begun the dismantling of the Workplace Health and Safety Agency, an agency that had become eminently successful at developing skills among working people so that they could have some control over their workplace to guarantee that there weren't going to be broken bones, that there weren't going to be shattered backs and that there weren't going to be toxins inhaled?

Let me tell you, if you'd been down in St Catharines last Tuesday, if some of my colleagues here from the government bench had bothered, had been interested enough to listen to Al Bratton from the CAW, Local 199—he does their workers' comp advocacy. He speaks. He's there nine, 10, 11, 12 hours a day. He not only hears, but he feels the despair and the anguish. If they had listened to him they'd know that the working people, the injured workers who avail themselves of the skill and talent and expertise of Al Bratton from CAW Local 199, can tell you that Bill 15 is yet another attack on behalf of the corporate elite, and this time it's against injured workers.

First it was an attack on the poor, and not just the poor but their children. We took food off the tables of children of our unemployed and our working poor, little children. Not adults—kids. Do you understand that? Kids—food off their table, clothes off their backs. It wasn't a revolution; it's a counterrevolution. You know it. It's a return to the 19th century.

Then the government said: "No, we're not content with beating up on the poor, the unemployed; let's knock around abused women a little bit more. Let's tell them that long-needed services that are just beginning to really establish a foundation in our communities and being developed for them are no longer going to be provided. Let them go back into the matrimonial home where they get the hell kicked out of them on a daily basis, where their lives are threatened. Let their children grow up in those environments." That's what this government said.

Then it introduced Bill 7. You were here when that was introduced; I know you were, Speaker. They introduced Bill 7, and without a single consultation with the representatives of organized workers in this province prior to the first reading of that bill, that bill was presented and rammed through this House in an unprecedented way, denying the people of this province what I and what I think any fairminded parliamentarian would regard as a right, and that's the right to input by way of a public process, by way of committee hearings.

You should have heard what Gabe MacNally, the president of the St Catharines and District Labour Council, had to say last Tuesday. He represents some 15,000 working people in the north part of Niagara. You

know what? They're scared. They've got the bejesus scared out of them by this government, I'm telling you, because they know when they're under attack. Let me tell you this: They haven't folded their tents and fled. They're standing their ground.

Gabe MacNally and the organized working people of Niagara know that an attack on the poor is an attack on working people, an attack on working people is an attack on injured workers, and an attack on injured workers is an attack on any one of us or our children—I don't have to elaborate on that, do I?—our children who might be blessed with an increasingly rare opportunity to perform a summer job so they could help finance some of their post-secondary education or even their high school education. But then come Labour Day that life is taken away by a workplace casualty, by a workplace tragedy, by a workplace theft of the life of a youngster.

Ms Shelley Martel (Sudbury East): Sean Kells.

Mr Kormos: Exactly.

So you see, working people understand that an attack on working people and an attack on workers' comp and a corporate-spearheaded attack on injured workers is an attack on their children too.

You should have listened to Lina Smith. She's active in her union. She's with CUPE. My God, she's active with her union. Is that a sin? A young woman who is a professional, working, grossly underpaid, for the Association for Community Living, working with some of the adults in our community who suffer from serious disabilities. They got kicked while they were down too, because the repeal of employment equity slammed the door in their faces. We don't have room for people like you in our workplaces. There's no room for you in this Ontario, this new revolutionary Mike Harris Ontario.

1610

Well, they've got no place else to go. This is their home. This was their home before Mike Harris became Premier, and I tell you this, they're scared too, but they're also mad as hell, and they're hanging in there and they're going to fight so that it'll still be their home after Mike Harris and the Tories are gone.

But listen to Gracia Janes or Michael Cushing, who work with the community planning organization and with the children's services committee, and listen to them express their concern about the bent of this government, what its lack of—it goes far beyond lack of compassion. It goes to outright lack of concern. It goes to the shrug. It's the big shrug. It's the old, "I've got the foreman's job at last; the working class can"—you know the rest of the line, Speaker. You know the rest of the line, and you know the arrogance that reveals.

You know how much a member of this Legislature has got to be out of touch with his constituents to support legislation like Bill 15. What's it all about, Speaker? What's it all about, huh? You know what it's about. It's about the tax break for the rich. It's about the 30% income tax cut for the BMW and Mercedes-Benz crowd. Trickle down? Give me a break. By the time it trickles down, it'll be dried up.

Two thirds of all that tax break is going to go to the top 10% of income earners. Did you know that? Do you find that in any way, shape or form conscionable when you generate that tax break for the wealthiest 10% in our province, the six-digit income owners, the Mercedes-Benz, private club crowd, when you generate that on the backs of injured workers? Please. Please, Speaker.

This government would be well advised to not only show some common sense instead of nonsense, but to understand who creates the wealth in this country, in this province: the workin' folks. Because Bill 7 in its attack on trade unions is an attack on the rights of workers to organize to protect themselves. It's an attack on those immigrant women in Toronto, right here at this point in time, at 4:10 pm, working in their basements for a mere \$2 and \$2.50 an hour, sewing some of the designer labels that the blue-suited guys and gals on the Tory benches are so proud to wear.

Bill 7 took away from them the right to organize. With Bill 7 we took away from them the right to protect themselves from abusive, exploitive employers who simply don't give a damn, whose only interest is more profit and not the welfare of the workers who generate their wealth or of the children of those workers or of the unemployed workers.

We began to make some modest recovery from a deep, deep recession over the course of the last few years, but let me tell you this: There's going to be a recession after-shock come 1996, and it's going to be a made-in-Ontario recession. Mike Harris is going to fuel a 1996 recession by taking away the jobs of 20,000 civil servants in this province, and the middle class will all but disappear.

We're going to have a small group of those friends of the Tories: the wealthy, the powerful, the Connie Blacks of the world, the Frank Stronachs, the Preston Manning wannabes. There's going to be this rich elite left, while this government destroys every institution that working people and their advocates have fought for, not just for decades but for generations. There's nothing to be proud of; there's great shame in this province today.

The Deputy Speaker: Questions or comments?

Mrs Elinor Caplan (Oriole): I don't think there's any question that everyone in this House recognizes that reforms are necessary for the Workers' Compensation Board. My question to the member who's just spoken eloquently and passionately is, is he suggesting that the status quo is an option?

We all know that injured workers depend upon the Workers' Compensation Board to care for them, to make sure that they are rehabilitated and returned to work as quickly as possible, and if that's not possible, then financially compensated or given a pension. We know that there have been enormous management problems with the Workers' Compensation Board, problems with both the management and with the board and with the huge unfunded liability as a result of policies.

Everyone in this House, all three parties, have served in government and we have all recognized that there are enormous issues and challenges facing us. But my question, as I respond to the comments by the member,

is that this piece of legislation that's been presented will give us an opportunity to at least begin the discussion. I have a lot of concerns about some of the potential results of the legislation, but I ask him, are you willing to accept the status quo on behalf of injured workers? I'm not.

I think that whatever changes come, we have to make sure that we don't break faith with those who are injured working. We know that the original system of workers' compensation was to make sure that people injured in the workplace did not have to resort to lawsuits and the courts. I think that is all still valid and I would hate to see us return to those days. It was a contract and a bargain that said to employers and employees, "Here is an alternative to the court system."

But I don't believe that the status quo is an option. Our party presented options and alternatives, and we will be looking very carefully at this legislation. I would ask the member, do you believe that the status quo is acceptable?

Mr Ron Johnson (Brantford): I think it's important to understand that, of course, our government has a great deal of concern for the working people in this province and for the injured workers in this province. What kind of social justice would it be if we did not deal with the \$11.4 billion of underfunded liability in the WCB? We are taking very, very strong steps to deal with that underfunded liability, because this government has the courage to deal with the tough issues.

My critic over there from Welland-Thorold, who drives to Queen's Park in a Corvette but drives a dump truck around his riding, didn't have the courage when he was in government to deal with the tough issues. We are doing that today. It's a lot easier to do nothing. But we're committed to dealing with this issue.

Mr Kormos: Point of order, Mr Speaker.

The Deputy Speaker: Would the member please take his seat.

Mr Kormos: What's going on. Speaker, I've never—

The Deputy Speaker: Are you rising on a point of order?

Mr Kormos: You bet your boots I am, Speaker. I've never driven anything other than a union-made car.

The Deputy Speaker: Your point of order, please.

Mr Kormos: I drive a Chevy S-10 pickup truck back and forth to Queen's Park. I haven't owned a Corvette in a few years.

The Deputy Speaker: That's not a point of order.

Mr Ron Johnson: I don't want to get into a debate about the type of vehicles my colleague likes to drive, but I can say that the real issue here is dealing with the economic problems that this province is in, the economic problems that the WCB is in as a result of the mismanagement and the lack of political will to take on the tough issues by the previous government. We're dealing with that. We have a great deal of concern for the injured workers of this province and we're taking all of the necessary steps to make sure that they're protected.

1620

Mr Gilles Pouliot (Lake Nipigon): Every time I listen to my friend and colleague from Welland-Thorold

I come away with better knowledge of the issue that is being discussed. For the government, if you're the recipient of workers' compensation, you're a face in the crowd somewhere, a number in the book. For the member for Welland-Thorold, it's the finest example of the human dimension, reminding us that no one is immune.

Real names, real people, real stories. They're hurt, they're down, they're vulnerable. They get kicked big time, hard time. Their pockets get picked by 5% when they can least defend themselves. But it's part of the biggest picture. The member for Welland-Thorold tells us, "If you can't run fast enough to distance yourself from the field, get out of my way." The bigger picture.

The reformists who are sitting across are telling us the CSR shall rule the day. "If you aren't strong, if you're weak, if you're elderly, if you're not rich, we're coming to get you through economic cleansing," and that's exactly what they're doing through this nonsense piece of legislation. I thank you, the member for Welland-Thorold.

Hon Cameron Jackson (Minister without Portfolio [Workers' Compensation Board]): On a point of order, Mr Speaker: I just would like to suggest that the first time I've heard—on a point of propriety in this House, the reference to "economic cleansing" has as its roots in contemporary journalism "ethnic cleansing," and I would ask the member to withdraw that comment. I think that was an offensive slip of the tongue and I would ask him to withdraw that because I think he's pushing the envelope on propriety in this House.

The Deputy Speaker: I would ask the member for Lake Nipigon to withdraw the remark.

Mr Pouliot: With the highest of respect, I did nothing to contravene the standing order. What I was suggesting, with respect, Mr Speaker, is that the economic actions are deliberate, ongoing and systematic.

Hon Mr Jackson: No, they aren't.

Mr Pouliot: But they are, so it's economic cleansing. I made the same mistake in more than three languages, but I can only use two here. I did nothing wrong. There's nothing to withdraw, for I would withdraw—

The Deputy Speaker: The member for Lake Nipigon will please take his seat. The Minister without Portfolio has found it very offensive; I find it very borderline. I'd ask you to be careful in the future.

Mr John Hastings (Etobicoke-Rexdale): I listened very carefully to my honourable friend from Welland-Thorold regarding the way in which this government is trying to deal with Bill 15 and the whole mess of the WCB. I would like to commend the member for his extreme passion, great passion on this subject.

However, I find it somewhat misplaced when he talks about the CAW advocacy rep working 11 and 12 hours at night dealing with WCB claimants. That's true, but I wonder if he would ever take one of those injured workers with their appeal down to this extravagant place called Simcoe Place and show them, let them see for themselves, the absolute waste of money that went into that operation.

Infrared lights when you walk into offices; leased art that no injured worker could probably ever afford; an air-

conditioning system that is incredible; plants that are leased that cost thousands and thousands of dollars—moneys actually, if the member for Welland-Thorold was listening, that could be used for pensions, could be used for claims that are honoured. But no, no, that's all forgotten in that palace down there that this government allowed and the other party decided, "We've got to build it because they're coming."

They spent \$200 million there, actually \$176 million of employers' and employees' money to build this extravaganza. They created at most, of what I can find, 400 direct jobs, costing—imagine, now—\$440,000 a job. Imagine. Absolute waste of moneys. If the member for Welland-Thorold wants to get passionate about this subject, I can get really, really lighted up and passionate about the waste, the misplaced amounts of money that were used that belonged to employers and the taxpayers of this province.

The Deputy Speaker: Member, you have two minutes.

Mr Kormos: Thank you, Speaker. Wow. Look, we already covered this. The royal commission was put in place and was effectively doing a job with a broad mandate to listen to the people of Ontario, all sectors of the province, all sectors of the workplace from bosses down to workers, from the injured workers themselves, from their families, to make recommendations. It boggles the mind. It's nuts to have disbanded that group of committed people before they had a chance to make their recommendations.

The workers' compensation system is badly in need of repair. The last government knew it, which is why it struck the royal commission. And I tell you, the folks where I come from understand that that is the most democratic—something these folks don't know a whole lot about or seem to care a whole lot about—and fairest way of making a set of recommendations that can then become the subject matter of legislative debate.

Mark my words, Speaker. You're going to remember this; I know it. It's the first shoe. Wait till the second shoe drops. Bill 7 and the destruction of successor rights. We're talking about a government that's hell-bent on just not maintaining a workers' compensation system or developing one that in any way, shape or form is fair to workers or in any way, shape or form is designed to enhance workplace safety. We're talking about a government that's hell-bent to privatize workers' compensation and force these working people to become victims of the whim and fancy and profit motive of the private corporate insurance sector.

The writing's on the wall. This government knows it. It's staging these things because it doesn't want to show its hand prematurely. Perhaps it doesn't want to affect the purchase price. But this is shameful legislation from a shameful government.

1630

The Deputy Speaker: Further debate?

Mr Hastings: You know, this whole subject about trying to focus on the provisions of the clauses in Bill 15 really deals with an institutional failure called the WCB.

It's an institutional failure that has caused numerous problems for both employers and injured workers, for rehabilitated workers and the health care professions.

The members opposite of both parties talk about how this bill doesn't do anything, doesn't deal with the real problems. Well, it is a beginning of starting to deal with the real problems, and the real problem involving this organization as an institutional failure is one of institutional credibility. This particular organization doesn't have hardly any credibility with which to present its case, whether it's dealing with the issue of employer premiums or whether it's dealing with the wellness program that supposedly is there to protect injured workers in the workplace, to preserve an effective and comprehensive system of workplace health and safety.

I can tell you without even referring to the bill that if one went out into the workplace and talked to small business employers and their workers, you would find that we have an institution here, the WCB, that is supposed to be a system of compensating folks when they get injured on the job, going around assessing employers on their failure to preserve an effective system of workplace health and safety, and it would insist on placing penalties.

I have a particular small business employer right now in my constituency who is planning on probably closing because he owes another \$15,000 because some wellness bureaucrat came along and said: "You failed your workplace health and safety exam of 65% and therefore you owe the board this amount of money. If you don't pay up by a certain date"—the usually prescribed bureaucratic way these folks at this institutional failure go about issuing these edicts—"we'll probably be there to seize the car-washing equipment."

You know what this gentleman's probably going to do? I've had at least two conversations with him and I'm sure he's only one example of numerous examples of a system that was supposed to be protecting people as they do their work and is in fact going to end up creating no jobs. We'll have 15 fewer jobs there. Chalk up another number one job killer for the WCB: 15 jobs there.

I don't know how many of my colleagues probably have their own horror stories about this particular program. It's got the ironic name of wellness—wellness—program. It goes around—yeah, it's well, okay, well in the head. It's a sicko program because it destroys jobs. It destroys jobs.

We have an institution here that can't face the reality of how it should carry out its programs with honour and with some ingenuity without penalizing the employer so he or she will move or close down. It's nothing but outright harassment of not only the employer but the worker, because the worker won't have any job any more. As my honourable members opposite would argue in letters and in their briefs, these particular 15 people would automatically go to the welfare system because they have no jobs, assuming these folks don't have any pride. I know some of them and they will not do that. They have pride. They will work to see if they can stay off welfare.

I'd like to get back to the central point of this bill, Bill 15. The centrepiece is to create a system of financial

accountability. Let me tell you, we can go into an exposé of many stories of why this principle needs to be put back into place at the WCB, starting with a board of directors—or governors, however you want to call it—that are responsive and responsible for the moneys that come through the door.

Do you realize, fellow members, that the WCB takes in about \$3 billion a year? That, in my estimation, probably covers two ministries of this government. So you would think that the people who are appointed to this board, whether it would be by the Lieutenant Governor in Council, or as my honourable friend from Windsor-Walkerville suggested the other day, by a more bipartite, consultative approach to putting these people in place, regardless of whatever methodology you would use, you would want to ensure that people are responsible and understand the financials, not from a business perspective per se but more from an economic preservation point, because they're responsible for those dollars for future pensions.

If you don't have the money coming in and being carefully nourished, you won't have enough money going out the door to preserve a financial income for injured workers and rehabilitated workers who need and count on those moneys. You certainly won't have it.

When you don't have prudent management, who gets blamed? Well, in the NDP lexicon or pink world, they automatically analyse it as a failure. It's a case of employers bashing the poor. It's a case of the big bosses, as the member for Welland-Thorold was saying, pressing down and putting the big boot to the small worker. It's the typical Marxian analysis that's been used in our society for the last 100 years, and in the end it fails. Even if you accept their premise, what does it have to do with the central principle of this bill, one of prudent financial accountability?

Mr Baird: Nothing.

Mr Hastings: Absolutely nothing, unless you're caught up in the fantasy world of class struggle that's been going on for the last umpteen years, all that stuff taught in our academic institutions whereby there's us and there's them. That's the end of it.

My members opposite bring out this cooperative model of workers and employers sitting down at the table and working out matters dealing with WCB issues. It's been tried for the last 10 years. Did it work? Well, if it worked, why do we have a nightmare of—what is it?—about \$11.5 billion unfunded liability? Why is that? I wouldn't be surprised that when we really find out what the costs are of this organization, don't be surprised, fellow members, if it's not a lot more—a lot more. That's why these members are spouting off their usual, typical class struggle epithets about the big bosses and the little worker when in fact that thing went out in the early 1920s. They just can't get away from that clichéd thinking.

Now we have a system where we had a board of these folks who sat down together. Supposedly it was a great cooperative effort. Yes, it was a great cooperative effort. It failed. It led to bankruptcy. If this operation called the WCB were a private enterprise or non-profit, where they had to be really accountable for each dollar that came in

the door and went out in terms of pensions and payments for temporary benefits, they'd have to file bankruptcy under the creditor arrangers act, whatever that piece of legislation is called, when a private company doesn't have the bucks to continue. That's the sort of state of affairs we've gotten to.

But we have the members opposite dismissing this obsession they think we have with the lack of fiscal prudence as a methodology of stamping down on injured workers, rehabilitated workers. Let me tell you, people out in the public, unionized workers, non-unionized workers, employers of companies that are both unionized and non-unionized, know how serious, how severe this problem is.

1640

I'd like to go back and do a little scenario, a little history, of what led to this mess, of what brought about this classical failure of so-called cooperation which isn't working.

In the mid-1980s, when the Peterson government was running this place—

Mr Baird: Ah.

Mr Hastings: Imagine. Yes, Mr Peterson ran the government. They brought in new people to run the WCB, and one of the folks they brought in was an economist. This particular gentleman believed that he had a certain forte or expertise dealing with the Euro money markets. Now, if you go back and look at your history of the financials of this place in the mid-1980s—about 1988 this occurred—this particular gentleman decided, as one of the big CEOs at the WCB, that he himself had more expertise in investment philosophy and approach and had a real understanding of the Eurocurrency markets that they spent at least—and I want to estimate here very conservatively—about \$100 million of taxpayers' money. That's really consumers; you know, they call it the boss's money.

But where did the boss or the employer get it? Through the sale of products or services by unionized workers, by ununionized workers. They bought these things and they paid premiums and they took all this money, \$100 million, and they invested it in the Eurocurrency market, and guess what happened. This marvellous expert who knew everything about how to predict what would happen in the money markets failed. He failed utterly. If you want to check out the validity of this little scenario I'm talking about, all you have to do is read the material from the Toronto Sun—imagine, now, this paper that's so anti-worker that all the people who work there after I think 20 years get a year's leave of absence—

Interjection.

Mr Hastings: Twelve weeks. They can do a lot of things with their lives. They have profit-sharing. Imagine a worker wanting profit-sharing.

Well, there was an article about this Eurocurrency caper, and that's what I'd call it, by Garth Turner, who exposed that the gentleman had failed utterly to make any money. Guess what? They lost the \$100 million. In fact, it cost them at least \$150 million, from the story that I had researched—\$150 million. That's a lot of money that

should be going out in pensions. That's why we have this fiscal mess going on. That's why we have to bring in Bill 15 as framework legislation to prevent this sort of financial caper from ever occurring again.

Now, what happened to the gentleman? If this was a CEO of a private company and he did this, what do you think would happen? He'd get a raise? He'd get a promotion? Not likely. There's the odd example where that occurs in the private sector, but it's so rare it's like discovering a South African diamond mine. Oh no, this gentleman stayed. Nothing happened. He still collected his benefits of \$150,000 or \$100,000.

Mr Marcel Beaubien (Lambton): Did he get a pension, John?

Mr Hastings: Did he get a pension? I don't know. I suspect, I have heard from my sources, that's probably true, Mr Member from Lambton-Sarnia, my colleague. I'd like to go and do some research on that.

That particular Eurocurrency caper was one of the bigger items that this gentleman brought about and inflicted on the WCB and on injured workers and on employees at the board and on consumers and taxpayers, and he got away scot-free, as far as I know. Nothing happened. I find it incredible.

The folks across the way were running the board at that time. You would think that would be an indicator that we should be doing something in this area. Oh no, nothing happened. They just moved on, and guess what? The next great caper that came along was this place called Simcoe Place. This is a building you'll love; I love the history and the mythology built up about this place.

When the board of directors of the late 1980s decided that the space they had at 2 Bloor Street was highly inadequate, guess what? They suddenly decided, as an independent crown agency, they had to go out and get a new place built. And you know why they had to do this? As the secretary at the board at that time—and I believe that particular individual is still in her position. The main justification, if you go back and look at the reports of the WCB when they came to the standing committee on resources development was—I love this one—that they needed a new building because the present building at 2 Bloor East was highly inconvenient and useless in terms of trying to help disabled people access 2 Bloor East.

Granted, there were some problems with it: if you look at the angulation of the ramp, the escalators if you use the TTC to get to Bloor. However, I myself at one time got in a wheelchair and I did go and use the system, and let me tell you that's no fun being in a wheelchair trying to navigate your way into this building to deal with your business.

So the folks at the WCB, or one of them, decided that, you know, there weren't any other buildings around Toronto that had millions of square feet of vacant space that could be used, oh, no. They all said: "These buildings are highly inadequate. The loading ramps wouldn't work." Can you imagine?

But getting back to the disabled mythology, the one that I just find incredibly inept in the way it was argued, the justification that was used was that if we moved from

2 Bloor East down to this new, fancy palace at Simcoe Place, it would be more convenient for disabled people. Okay? Sounds good. That's their justification. That's why they had to spend \$200 million-plus putting this palace up.

So let's examine that particular business case and see really whether it's true. You get in a wheelchair or you use a walker, you come on the TTC down to Union Station, you get off the car, you go up the escalator or whatever you have to do—and it's not easy there—and you go through the tunnel to the Royal York and you get to the main street at Front, the Royal York Hotel, okay? Now, is there a tunnel or any way of getting easy access and conveyance from Front Street to Simcoe? Uh-uh, no.

Mr Baird: There must be.

Mr Hastings: No, no. It's absolutely not true that it's more convenient. It may be convenient when you get there, but getting there is difficult. So to use this justification, frail and feeble as it is, it is completely incomprehensible to spend \$200 million—well, to be exact, \$176 million of hard-earned injured workers' money, taxpayers' dollars, to put up this Taj Mahal called Simcoe Place. It should never, ever have occurred. It's a gross example of extravagance run amok.

Here you had a board—and this is the model the members opposite use, a bipartite board, labour and management, they sat on it; they're the ones who worked on this deal—and they said it was going to be a great stimulus for the economy, for growth and jobs. Guess what? As I said, it created 400 jobs, construction jobs, direct—and that is, I believe, an overestimate, but we'll give them the argument of the day on that—at \$440,000 a job. This is the NDP's version—or the Liberals' version, because they were both together on this thing—of creating jobs, and they have the audacity to stand in this Legislature day in and day out asking us, "Where are the jobs?" Well, there are the jobs there: \$440,000 a pop. I don't think if you asked too many employers they would be too happy if that's the way they were spending the money.

Here we have a bill that's trying to restore some financial accountability, a framework to deal with these problems. To me, the old system, the one that's been in current vogue—it's cooperative, they sit down—I'm sure the folks that were there had good intentions in the decisions they made, but the point is, fellow members, they failed to get the deficit down, to get this black financial hole into which we're falling under control. They failed utterly. If they argue that they had a strategy in place, well, let me tell you, then I must be J. Paul Getty and own the art museum in Malibu, which incidentally leads me to a third case of—how shall I phrase it?—a little more fiscal imprudence.

1650

Here we had a group of board members, people who were easily persuaded that if you go down to this Simcoe Place—now, of course, do you think when they designed it that they'd spare money? Oh, God, no. We can't have that.

I have been told by different people who were suppliers on this building that they had options A, B and C, and that's the way they operate on anything, even when

they do improvements on the WCB hospital. And of course, if you're a bureaucrat who doesn't really have to take any money out of your pocket—you know, the money is somebody else's, it's not mine, why should I worry about it?—what option do you think you'd take on A, B or C in terms of the splashiest, the most luxurious? If I were the bureaucrat, I'll take A, if that's the option, or C, whatever one it is.

Here you have a group of people who live in or you might say work in rather well-appointed circumstances. You've got the infrared light system. What do you need that for? "Because they need it. They're more productive." If they're more productive, they must be. If what they say is true, it's got to be true.

Then they have, I understand, talking to a plant consultant—I love this one, plant consultants, people who are in the flower business and plant business. They have to do business. I don't blame them for that. This organization puts out tenders for plants that specify they have to have a nice balance of CO₂ intake and oxygen. Okay? No plant of course does that except the types tendered by the WCB plant fantasists. Of course, that's done. Of course, they believe they're saving money. When you hear them come here, I'm sure they'll make the case that "We wouldn't want to buy those big ferns we have in our offices." They've got to lease them. Right? Because if you lease them, you save more money. It sounds good, anyway. Whether it's the actual case, I'd be very doubtful.

Coming to the whole what I call art caper, back in the late 1980s this gentleman who was involved as an expert in Euro currencies had to also get involved in art. He's an art expert, and I have some art, but I'm no expert, let me tell you. If he was an expert in selecting art, then any of you folks here would be tremendously more effective. Guess what? And you can find documentation on this. They spent at least \$50,000—"What's \$50,000? It's not much money"—of employers' hard-earned money, injured workers' hard-earned money, and they went out and, guess what? They leased some art. They wouldn't buy it. You lease it. You make a better business case.

Now, why do you buy the art? Supposedly—I used to buy this theory—if you have nice art in workplaces, it's aesthetically pleasing, it makes people happier. I guess you can't fault that. But the question really is, should a board of directors or any of the senior management in this place have been spending one penny, one sou, on art? I don't think so.

That's another minor explanation as to the whole problem of why we've got this fiscal soup mess left by these two parties across the way, by this party as well to some extent. We are responsible for a small portion of that \$12 billion. Let's be forthcoming about it and acknowledge it. But I can tell you, when even you look at the charts, the amount of money in proportion to the number of people served by this organization was well in balance compared to what's happened in the last 10 years.

I have to look at some of the other provisions in this bill, on which our friends opposite say: "It's really nothing. There's nothing there because it's not dealing with the real issue," which is we're going to grind the

worker down and make sure he or she doesn't get any benefits.

The whole thing is, they've had a few instances of fraud, just a few, at the WCB. Now, these fraud cases are rather minor. I can remember one where we had a taxi driver from one of the preferred suppliers creating more mythical trips for injured workers than the board found out about. This is a very minor example.

Then we look at some of the media of the past few years. We have had cases of one particular set of folks who set up—I love this one—40 bogus companies. They had a number of bogus employees and they created all the mythical circumstances for workplace accidents, and then these corporations would file under the board. They'd pay their initial premiums, but coming along in tandem, about two months later, you had a bogus worker who applied for benefits. So we had a whole set of folks that, I think, worked out to about \$1 million that was lost in this area—not much money according to the WCB, because, you know, they're very prudent folks over there. They spend money very wisely.

Also, in this whole thing—and now I'm going to be quoting from one of Canada's well-noted writers. I know she's a pariah to the parties across the way, somebody who's really out to lunch, this lady. She writes stories that are dead on, as far as I can tell, and deals with real realities of where the money's gone in terms of fraud. She believes, and she's done a lot of work on this—and by the way, her name is Diane Francis. Imagine, I'm quoting Diane Francis. So right away my case is totally invalid, if you had the folks across the way listening, because anything she writes about, it's for the corporate elite and for the corporate agenda. To hell with the workers; she is totally indifferent to that. It's only we over here and she who are totally obsessed with saving money, making cuts, grinding injured workers into the sidewalk, really getting right at them. We do it with such joy, if you can believe this nonsense that's spouted, where it's an attack on the most vulnerable.

Anyway, Ms Francis believes, and I'm sure that her facts are fairly accurate, that the Russian mafia, if you can believe it—I'm sure some of the members opposite say, "That's a fantasy you've really hooked into"—may be responsible for at least \$1 billion of the fraud or the misuse of money in this system. What's a billion? You know, it's not much, really, with this bunch that runs the WCB, running it right into the ground so that it really is, in effect, technically a bankrupt company.

Now, when you deal with fraud you have to have the best people in place. Let me tell you, here's another little story about the first person who set up the WCB fraud strategy or fraud investigation group. Really sounds impressive, doesn't it? This particular individual applied for the job, got the job, and later on, about three years ago, some of the personnel people or somebody cottoned on to the idea that this particular person who was the head of the fraud squad of the WCB, this group that's going to ferret out all this fraud, actually had made some minor changes in his résumé and said that he had an MBA from a university that doesn't offer MBAs in Ontario. But, you know, I can't blame the WCB folks or

management for that problem; they just happened across it. Can you imagine? You have a person leading an effort to reduce fraud who himself is less than valid in his résumé credentials. Amazing.

But anyway, all these stories of the Eurobond caper, the Eurocurrency caper, the art caper, the expenditures, you know, just \$50,000 on some nice art, that sort of thing, those are all inconsequential items when it comes to explaining the total collapse of the financials in the WCB system.

Now, we have a lot of people from the benches opposite always bemoaning the fact that: "I've got tons and tons and tons of paper, of files in my office. I'm working on WCB injured workers." Their idea, I suppose, of dealing with this is that—

The Deputy Speaker: Time has expired.

Mr Hastings: —you make hundreds of phone calls to a WCB claims adjudicator.

The Deputy Speaker: The member's time has expired.

Mr Hastings: Okay. Anyway, thank you, Mr Speaker. I just wanted to elaborate and point out that the whole area of bureaucracy and lack of customer service in this particular institution needs to be addressed as well.

1700

The Deputy Speaker: Questions and statements?

Mr Mario Sergio (Yorkview): I have no questions, but I am very anxious to get on to the Speaker's list and I want to take a couple of minutes, if you wish, in the form of a statement. Since I probably will want to go quite a bit more than the allowed time I will have, let me say one thing: that it's very, very sad when we are presented with a particular proposed bill, if you will. It is called amendments to the Workers' Compensation Act and the Occupational Health and Safety Act.

This is not an amendment. It's a total repeal. It's a total repeal as it is now in existence.

And you know what's even sadder, Mr Speaker? Every speaker systematically has not been addressing the real issues that have been proposed by their own government. They have been dancing around the issues of, "It's a big mess left over by the previous government, we've got to bring this unfunded liability under control," and they have failed, miserably, totally, to speak on the merits of the bill as proposed, if there are any merits in the bill itself.

I dare challenge every member of the government side and point out to this House and to the people out there which one has been addressing the merits of the bill as it has been proposed in this House: None of them. None of them has been speaking on behalf of the injured people and supposedly those who may be injured in the future. None of them. Every one has been systematically—and I have been listening very attentively—telling stories of how they should be bringing down this unfunded liability.

I hope to carry this on during my presentation.

Mr Ron Johnson: I want to thank my colleague from Etobicoke-Rexdale and in particular commend the honourable member for Burlington South for bringing

forward this piece of very valuable legislation and having the courage to deal with a very, very difficult issue, something that the previous governments have failed to do in the past. As a result of that, we're left, as you know, with an unfunded liability of \$11.4 billion.

I can tell you that I have spoken in my riding of Brantford with a number of working people since June 8 and a number of injured working people as well, and they know there's a problem at the WCB. They know about the unfunded liability. They know about the quality of service they're getting with the Workers' Compensation Board and have expressed those concerns to me.

I know that often the colleagues across the floor divert attention. They divert attention from this issue. They talk about the 5% premium cut to benefits for people on workers' compensation, but this bill isn't about that. This bill has nothing to do with the 5% cut in premiums to people on WCB.

I can tell you that when I hear that from the opposite side, I can't help but think about the sort of fearmongering that they're doing across this province with virtually every piece of legislation that we bring forward, and that's because they lose on the issues. We are doing the right thing for the province of Ontario, we're doing the right thing for the people of Ontario, and the previous governments never had the guts to deal with the hard issues. I'm very proud to be a part of a government that's willing to make the difficult decisions on behalf of the people of this province.

I can tell you, Mr Speaker, that what this is about is restoring hope and opportunity and jobs in this province, and this is one small part of that. It's an entire platform, an entire economic plan to restore hope and opportunity. As I said, I'm very proud to be a part of a government that's certainly taking the right actions and moving in the right direction to that goal.

The Deputy Speaker: Questions or statements? Retort?

Mr Hastings: I simply would like to wind up my remarks by pointing out that we're often accused by the members opposite of using the Common Sense Revolution as a sort of ideological barrier to attack the poor, beat down the helpless. There's a lot of fun and joy in that. Of course, it's a complete distortion of the reality.

As my honourable friend the member for Brantford has said, this particular document came about because of consultation with many, many people throughout Ontario. Of course, the members opposite maybe didn't go to any of the meetings. The Premier and the other members of the 20-member caucus went to Wawa, lots of places. I've seen the trip schedules.

My good friend from Grey and the new Speaker went to northern Ontario and listened to people about all the issues, including the problems at the WCB. To sit here and accuse us of trying to bash people is to accuse people who came to those meetings of being ideologues, and that's absolutely simple nonsense.

I'd simply like to conclude that one of things this bill will hopefully do, through the framework, is get the folks who are administering and managing the WCB system to

start thinking about this bizarre idea we have called customer service. You know what that means? Getting back to people, contacting them, telling them what the problem is, where their claim's at etc instead of the multifaceted piles of paper, high technology in terms of imaging that went nowhere and the non-responsive system at the board by the people who are paid big, big dollars. That's what we've to get at the heart of so that the members opposite won't be always complaining and observing, "You know, we've got these piles and we'll never end them."

The Deputy Speaker: The member's time has expired. Further debate?

Mr Sergio: I'd like to indulge in picking up the argument on this particular issue as it is of great importance to a lot of people in my constituency, and I'm sure to every worker, man and woman, in the province of Ontario.

Let me first of all congratulate, because I think we have to draw a line somewhere with respect to political sides and partnerships here, the Conservative side for introducing the bill and, as they say, for having the fortitude to try and reform, bring changes to, the Workers' Compensation Act and the Occupational Health and Safety Act. What they hopefully were planning to do with the introduction of such a bill was two main things. One was to control the costs, which I do agree and I think everyone else agrees, and the other one was to eliminate, hopefully, the so-called unfunded \$11.4-billion liability.

That's as far as I go lauding the government side. What they are not recognizing is that this is not the fault of the working men and women, injured people of the province of Ontario. They did not create the mess that exists now within the Workers' Compensation Board. I'm not lauding the previous government. I think they have left a big mess, but in the hope of cleaning it up the government has forgotten the most important thing, to address the people who will either benefit or will suffer from the proposed bill. As it is proposed it can only make it worse.

From the last speaker we have heard a number of stories, one that is alluding to what I want to say. Let me tell the House a little story which was told to me many, many moons ago. It goes like this.

The trial was over and the lawyer was approaching the bench to address the jury, the lawyer for the injured person, in the quest to find an answer and seek justice. Finding none, he lit a match and he was looking. So the judge says, "What are you doing?" He says, "Well, I'm seeking justice," the justice that I seek in this House but I do not find in this House.

1710

This bill, as proposed, does not bring justice, equity, fairness or improvement to the compensation of injured workers. It does none of that. It repeals whatever benefits the workers had been entitled to as a basic right up to now. It does repeal all of that.

What the bill does is speak of six main points. Let me address some of the major ones.

I wonder how members of this House, when addressing questions of their own memberships in their own ridings, what the answer is going to be when they will be confronted with, "Well, we will be tampering with the lifetime pension." If I were to be an injured worker, enjoying some basic benefits and rights today, I would say, "What do you mean you're going to tamper with my lifetime pension?" This is what you are proposing. They don't seem to be worried at all. It is their proposal. We didn't, the other side didn't, the injured workers didn't; it is their proposal.

We, as the Liberal side, have been urging the minister to review the Workers' Compensation Board, not to attack the benefits of the injured workers but to strengthen the permanent pensions of those injured workers. The minister wants to review, to re-examine, a fundamental part of the system. Does it mean that the injured workers out there in the field tomorrow may wake up and say, "Our low lifetime pension has been disbanded, has been cut off, has been diminished"? Is this how the government proceeds with the health and safety of our workers and injured workers? Are these the benefits they are talking of amending with the proposed legislation? I think not.

They are proposing a three-day waiting period to start with. They are proposing a three-day waiting period. This could be proper if we were talking of amending the car insurance act or whatever, but we are talking of the welfare of injured workers in Ontario. Is this how they measure loss, loss of health, pain and suffering and anguish, let alone for the individual member, for the members of their own families and their own communities? Is this the way the government wants to sympathize with injured workers and say, "We are going to give you now, before we give you the benefits, a waiting period"? This is their proposal. It is not contained in the existing legislation.

They are proposing to review what they will pay and what they will not. They will want more proof to make sure that the injury received is related directly to an injury received in the workplace. Well, my goodness. What other proof can there be? When a worker is picked up off the floor of an industrial complex, a construction site, and is brought to the hospital, and now is trying to recover, and we have a government that is trying to work against the benefits of that particular person and family? I think this is not what the injured people and the families of Ontario wish to have from their own government.

Everything has been addressed so far on the accountability factor. It is very sad that we have forgotten the fundamental rights of the workers, the injured workers. During the last election, the so-called—I'm sorry, not revolution—

Hon Mr Jackson: You're thinking of the red book.

Mr Sergio: Ah, the red book. Quite right. Yes, it's right here. Let me say one thing for the benefit of those members, because probably they have given out so many of these that they forgot to keep one for themselves. But the true fact is that exactly what they have given out during the last election and put them on that side will bring them back on this side after the next election.

I'll tell you why. On their own front page, after a litany of wonderful things that they were proposing to do, they go directly to the bottom and it says, "The Next Step—Public Involvement." Bingo. Did we see any? Did we see any, members of the House? We didn't see any on Bill 7. Well, my goodness. This is going to bring you down. And do you know what? Let's go and see what this so-called next step, public involvement, says. It's on page 19 in your blue book, or whatever you wish to call it. Would you like to see what's on page 19? Would you like to see? It is blank. It is absolutely, disgustingly blank.

The only thing that it says, once they go through again reducing 20% and 5% and 85%, with a very brief line is, "But how we get there will be discussed in partnership with all Ontarians." Now, isn't that nice. How are you going to do that? Is this the consultation you have given the minority in this House? Is this the consultation you're proposing to give the people who have elected you? Because there is nothing else in here, in this so proudly Conservative book which got you into power.

I think it would be quite proper for the government to say: "You know, we want to make the changes. We want to reform the act. We want to improve it." Unless we improve it, what is the sense to tamper with this particular bill? They say, "Well, we are going to propose, we are going to bring out a new proposal." Well, for heaven's sake, isn't that nice? If you have such a good proposal, bring it out. What is stopping you? What are you afraid of?

I would think that if they had such a good compromise to the existing law as it now exists, the present act, they would hurriedly bring it out and about and hold public hearings in every corner of the province of Ontario. But they don't have any. They do not have any, because if they had, they would bring it out for discussion and input from the people who will be affected the most.

In the proposed amendments, I would take two major components, as they go well beyond the fact that the WCB is in a mess, the unfunded liability is very, very high. But I think we have to take into consideration the benefits of the injured people. This is what the Conservative campaign commitment says with respect to benefits: They want to follow the lead of Manitoba and New Brunswick in reflecting income realities. "We will reduce the benefits level from 90% to 85% of net salary and review the idea of lifetime awards."

1720

Are they telling the injured people out there how they are accomplishing that? Are they? Did they tell this during the election, how they are willing to accomplish that? Or are we going to have the injured people out there in the field on their hands and knees and saying: "What are they going to do to us now? They are cutting this, they are cutting that. We're feeling the pinch. Now, after 15, 20, 30, 40 years of labour, we have broken our knees, they've cut our arms, they've broken our backs, and now they're going to take away this measly pension?" I think if you were to be an injured worker out there, you would have a very uneasy feeling.

On entitlement they say: "Freeze all new entitlement including stress. The definition of 'accident' will be redefined to ensure that the injuries are directly traceable to the workplace." It has been said by their own members that the fraud, if you wish to call it that, is absolutely minimal in comparison to the amount of the unfunded liability.

If that is the case, why are we putting the weight and the blame on the injured workers alone? Why is the government penalizing the injured workers? They shouldn't do that. It is unjust, it is unfair, it is inhuman. It does not create a balance, it does not create fairness and it does not create justice.

I believe—and I will conclude my remarks—that it should be a basic right of every injured man and woman in the province of Ontario. This bill, as it is proposed, does not do that, does not give them that protection, does not give them the peace of mind, does not create fairness, does not create balance, does not give protection to the workers of Ontario and does not bring justice in the system.

I do sincerely hope that once the bill comes back, after having gone through a very minimal period of discussions, the government side will feel the necessity to make the necessary changes and bring some equity to the bill that they have proposed.

The Deputy Speaker: Questions or comments?

Mrs Caplan: I'd like to congratulate my colleague the member for Yorkview on a very thoughtful presentation on this piece of legislation. He rightly points out that there are existing problems, but he also says very clearly that before the government runs headlong into making major legislative changes, it must present a plan and it must make sure that the rights and the needs of injured workers are addressed.

We all know that the Workers' Compensation Board has had many problems. We're also very aware that the unfunded liability is creating enormous pressures for change. The concern that I have is that unless this government, as the member for Yorkview so rightly pointed out, allows for the kind of discussion, public consultation, open hearings and the kind of process which will include as many of those who have and share my concerns and the member for Yorkview's concerns and our caucus's concerns, we will not end up with the kinds of solutions that will meet the needs of injured workers into the future.

One of the concerns that I had during the election campaign with the policy of the now government in the Common Sense Revolution was to see a cut of 5% in WCB premiums. They are not implementing that promise. They have backed off from that promise. They said that they had not costed that promise out, and we know that any reduction in support and funding of the Workers' Compensation Board will result in two things: a higher unfunded liability or fewer services and benefits for the seriously injured workers in this province.

The member for Yorkview is to be congratulated. He put forward a very thoughtful presentation, and I thank you, Mr Speaker, for the opportunity to congratulate him and comment.

The Deputy Speaker: Any other questions or comments? The member for Yorkview would have two minutes rebuttal if he wants it.

Mr Sergio: I wish to thank my colleague the member for Oriole. It's not too difficult to jump from one side of the House to the other and pretend, at times, to speak on behalf of our people. It is another thing to be sincere and honest with ourselves and address the problem that is at hand.

We have heard from the government side, time and time again, that they wish to give people a hand up, not a handout, but I am afraid that this bill as proposed is nothing more than a total let-down. And it's sad, because I think the people out there that I have been working on behalf of—every person in Ontario—deserves assistance, deserves protection, deserves attention and deserves fairness.

When the people out there hear our own Premier saying, "Don't do what I do but do as I say," that's a different story. I think it was yesterday or the day before that he said, "It's not important what I do, it's important how I do it." That scares the living light out of me and the people in Ontario, because this is exactly the problem. It's not what he's doing, it's how he's doing it. And the way he's doing it is on the backs of the workers, the poor, the injured people and the less fortunate in our community, and I find this most unfortunate.

The Deputy Speaker: Further debate?

Mr Tony Martin (Sault Ste Marie): In preparing for today and in trying to put together some thoughts on this particular piece of legislation, I had the privilege of sitting last week, during constituency week, with a number of injured workers in my community and asking them some questions and allowing them to ask me some questions as I shared with them some of the pieces that are contained in this bill that will impact on them, if not now directly, certainly down the line in very significant ways directly.

The biggest question I guess they had was, they were presented during the election and in communications after the election with a package of changes that were going to come re the whole question of WCB that they were expecting to see re this bill and had prepared somewhat to deal with that, had organized in ways, both personally and as an organization. This was the Sault Ste Marie Injured Workers' Association that I met with and was chatting with to deal with this.

But when they saw what was presented, it presented to them somewhat like a bad joke, sort of this is one shoe that's coming down that they saw would have some effect on them personally eventually, that would change the way business was done at the WCB, would bring forward a different tone, but the second shoe was still to come, which was the one that would directly affect them.

1730

Sometimes I wonder if it isn't better to just let people do what you have to do so that people can deal with it and get on with their lives as opposed to having them out there sort of hanging, waiting, wondering what's coming and not able, because of that, to do a whole lot of things.

Because you become somewhat paralysed or immobilized when you're not sure just exactly what's coming at you, what to expect and how it's going to impact on your life. So that was one of the questions they had to ask.

But the other question was of a bigger nature, a question that, in changing the nature of the WCB and moving away from the bipartite approach to doing business, which actually is part of a larger agenda that this government seems to have that will see us less and less using the resource that organized labour is in this province, they're asking the question, why? Why are we doing that?

Why in 1995, at a time in our history when anybody who is interested knows the positive impact that organized labour has had in all of the workplaces of this province, in all of the communities of this province, the positive impact that organized labour has had in the lives of people like you and I, Tony. We have a certain standard of living now. We have things that we count on by way of benefits.

Mr Pouliot: Everything is relative, but Tony, he's okay, he's on top of it. But some of those—

Mr Martin: Yes, and Gilles and Shelley. We have some things that we take for granted now because we have a job, and with that job comes a certain package of benefits that sees our children able to get their teeth fixed, get glasses if they need that, or if they get sick they're able to go to the doctor, the hospital, and not have to face the possibility of bankruptcy or financial problems for the rest of their lives. That wasn't just given to people. As the Premier would say, that didn't happen by spontaneous combustion. It happened through negotiation and through legislatures taking this kind of thing seriously.

But more than any other group in our society today, I think we have to give credit to the labour movement, and it crosses a whole raft of areas. It's not just in our own personal lives. We look at the quality of life that so many of us have in this province now and enjoy, but when you look at the workplace itself and the difference today, say, to the 1970s or 1960s, or if you go back far enough, to the 1930s, in terms of health and safety, even though we still have a long way to go and a lot of work to be done, it certainly is a different workplace today than it was back then.

Again, we have to give credit where it's due. The credit goes to the labour organizations that sat down and in some instances very peacefully negotiated some of these changes but in other circumstances actually sacrificed a lot of their own personal monetary income, at the time actually put their life at stake sometimes on the picket line to achieve some of what we take for granted today.

These people in my community, these people in workplaces across the province, these injured workers that I was meeting with on that particular night back during constituency week, are asking why at this time, recognizing the tremendous contribution that organized labour has made to the life of all of us—and that's not just those of us who work in workplaces that are organized. In any workplace in the community, when a gain is

made by organized labour at a particular workplace, it's not long before that kind of gain begins to become the norm and become present in many other workplaces.

Mind you, there are still workplaces out there that don't have the level of pay or the benefit package that comes with being part of an organized labour structure or whatever, but I think you'd have to agree that today—

Mr Pouliot: The franchises.

Mr Martin: That's right, some of the franchises or even financial institutions. Some of the richest institutions in our province today, making mega-profits out there, paying their chief executive officers salaries that are immoral at least, still don't have organized workplaces and don't have the level of income for the people who actually do the work on the front lines that I think you would expect in that kind of an organization.

I think it's important, though, to note that given that there are shortcomings and some things that haven't happened that we'd still like to make happen, organized labour has made a tremendous contribution to the life of this province, and why at this time, in 1995, we would want to begin to separate management from labour on some of the boards and commissions that govern, that give direction, that actually in some instances operate some of the organizations that deliver services and set policy and advise on new laws, why we would want to tear that apart, why we wouldn't want to build on what's already started.

The WCB, I think, is a perfect example of that and that's probably why these people were asking those questions. The WCB is not, I don't think, anybody's favourite organization. I don't know anybody in this House, either in the previous government or today, who could say with any degree of confidence that the WCB is working effectively.

My experience in the last five years, working through my constituency office, is that actually in fact I couldn't find anybody, any of the stakeholders re the WCB who were real happy with it. The workers weren't happy, because it wasn't working for them. The employers weren't happy, because they felt that it wasn't working for them either. In fact, the people who work for the WCB—and we had one of them speaking here today, Mr Hastings—certainly indicated by the way that they responded often or in conversations that we would have that they weren't real happy with it either.

But the changes that were being made in the last six months to a year, that were being brought about by this bipartite board, however difficult that process was, however sometimes cantankerous they got with each other, were still making a difference. They were making a difference in many significant ways, as was the health and safety agency that has now been disbanded, which was another bipartite approach to resolving some of the very difficult challenges that we, as a province, faced as we tried to manage workplaces so that they were safe and healthy so that people came to work and could work and contribute to their maximum and create the kind of productivity that was required for them to be profitable in the end.

So we ask that question, "What is it that we're trying to do?" I'm told when I ask that question sometimes that we're trying to create an environment that's going to be more inviting of new investment, is going to be more friendly to new business coming and setting up in the province.

I guess the question that flows out of that for me is, if you don't want workplaces that are healthy and safe, if you don't want workplaces that are providing a half-decent standard of living for people, with benefit packages and pension plans that in turn get circulated in the community so that a place like Manitouwadge or Sault Ste Marie has a healthy economy that it can count on, not just for today but into the future; if that's not the kind of enterprise that we want to attract to this province, then I ask, what is it that we're trying to attract?

What kind of company do we want to set up here and why are we exposing ourselves? Why would we want to expose ourselves in this way to companies that would not be, in the end, good corporate citizens and want to support and participate in and be part of a process that includes all of the major players in decision-making so that in the end decisions are better and are able to be carried out by those who have to do that?

1740

We're told by way of the Common Sense Revolution that we've just come through five years of very difficult times re labour and management and business. That has not been my experience. My experience, and I think if you look at the facts they will tell us that we've just come through five years of labour peace. In fact we have attracted to Ontario, during that time of labour and management working together in the ways that we have set up for that to happen, major industries and investment, and that in turn has improved the lot of people working and living in the wider community.

It's interesting for me to watch, as this agenda of this very anti-union movement unfolds, to note that the organized labour movement, the union movement, is a creature of the free market system, that it was actually caused by and brought about by and fits in many significant ways nicely with the free market system, and it contributes to a stability that is necessary in a jurisdiction if in fact a free market system is going to work.

It's interesting to note, in terms of this attack that seems to be coming against organized labour and the union movement, that it was the labour movement, for example, in Poland—under the leadership of Lech Walesa, Solidarity, you'll remember—that began to change the circumstances of the situation in that country and move it from a very difficult communistic state to one where actually free market principles are now more the order of the day.

So why is there such a natural fit then between a system that is built on the entrepreneurial spirit and free enterprise and a free market system with the labour movement and with workers being empowered and workers being asked to bring, as said by my good friend Leo Gerard, their brain to work as well as their brawn? Why is there such a fit?

I suggest to you there's a fit because that speaks to, in my experience certainly in Sault Ste Marie anyway, a certain stability. When you can get management and labour working together, when you can get management and labour making decisions both on the short term and on the long term, that gives people a sense of confidence that this enterprise is going to be around and that the impact it has on a community is going to be there over a period of time, and there is a greater willingness, I think, for other enterprises then to come and to invest.

What is this stability about? What brings this stability? Well, I guess it's a sense of security. It's knowing, when you go to work, that when you go home again you'll be able to come again the next day, that your job is going to be there, that in the long term you're going to be able to plan and that you're going to have what it takes to keep your family in food and clothing, that you're going to be able to purchase a home—

Mr Pouliot: Basic necessities.

Mr Martin: —basic necessities, and buy some of the products out there that other companies are producing, buy a car and some of the other—you know, to have pay, to have a job, to feel that when you go to work, the workplace is safe and that your colleague, the person working beside you, is going to do whatever's required to make sure that that workplace is safe; to know that if you should get hurt on the job, there is some benefit out there, there is some other organization that's going to make sure you have enough to keep your family fed, to keep clothes on their backs and to pay the rent or the mortgage or whatever that may be; to have a pension; to be able to look forward to your senior years, to the years when you can finally relax and breathe and say, "I've done it, I've put in a good 20 or 30"—or in the case of my father-in-law, for example, 43 years at Algoma Steel. And those 43 years are going to be rewarded with a pension plan, with some money so that you and your partner or your spouse can live in some comfort.

That stability, I think, then lends itself to consumer confidence. When you have management and labour working together to stabilize a company, which in turn contributes to stability in a community, there comes a confidence in the consumer that then encourages that consumer to go out and spend. It seems to me, in listening to the economists and those people who know more about how an economy works and comes together and what's important, that this issue of stability and consumer confidence is central.

Our experience certainly, over the last five years in this province, is that by doing the things we have, which bring management and labour together on boards such as the WCB, on agencies such as the health and safety agency, and in so many other innovative and interesting ways over the last five years, we have created in the province a greater sense of stability. We were seeing the development of a greater sense of consumer confidence in the province, at least up until the spring of 1995, that was making Ontario a good place to do business, was making Ontario a good place to invest some money, was making Ontario a good place to come and to work.

This works. We know it works. The problem in my mind is we, as a government, were so busy trying to put out fires, saving enterprises that were in trouble because of the recession of the early 1990s, that we didn't take, I suppose, the opportunity to communicate with the broader public out there just what it was we were doing and just how it was working and why it was beginning to show some success.

I guess the thing that tells me that we didn't communicate that message properly or that experience properly is that we still have people out there who would prefer confrontation to resolution, who would prefer conflict and that way of going on and getting things done than actually sitting down and working together on common resolutions so that we might have some labour peace, and, in turn, the stability and consumer confidence that we need to really get this economy of ours going so that we can all benefit from it.

We heard from those people in 1992 when we passed Bill 40. We heard the great predictions they were making. I remember in my own community sitting with the chamber of commerce, and so many members of the business community in my office talking to me about the catastrophe that would ensue if and when we brought Bill 40 in. I used to joke with them, or I joked with them after we'd done it. I said I was sitting at the International Bridge the day after we passed Bill 40, and I didn't see—

Hon Mr Jackson: You were cross-border shopping. You know it and I know it.

1750

Mr Martin: I couldn't get across. I was sitting there—

Mr Pouliot: But not for free trade.

Mr Martin: No, I believe in free trade. So to make a long story short, we didn't see in Sault Ste Marie a big exodus of business the day after Bill 40 was passed. As a matter of fact, it was in the context of Bill 40 that some of the most exciting, I think, developments in the history, in the economy of Sault Ste Marie in fact began to happen.

It was within the context of Bill 40 and the comfort that the labour movement felt because it had a government which recognized the contribution that it could make and which was willing to look at things from a different perspective that the partners in the Algoma Steel restructuring came together and put together the resolution to the challenge of Algoma Steel for us in Sault Ste Marie.

When I got elected in 1990 in Sault Ste Marie, Algoma Steel was on strike, and it wasn't long after that that Dofasco decided to pull the rug and let it go, let it float, let happen what will; they weren't going to participate any more in any further development. It was at that time that the labour movement then said: "No, that's not the scenario that we want to see unfold here. We want to be aggressively optimistic about this. We want to bring the partners together. We think that we can save this operation and we can make it profitable." But they knew they could only do that if they could get the membership of their union, if they could get the workers on side. They

needed to convince the government and they needed to convince management, and together then they had to talk to the financial institutions.

Well, at the end of the day, we did have a deal. We did have a restructured, renewed Algoma Steel that just the other day broke ground on an investment that represents close to \$750 million in Sault Ste Marie. A company that was losing money, that was written off by its parent, is now making profits like it's not experienced before in its history and is actually taking those profits and other money that it's been able to generate because of the stability and confidence that it's created out there to actually invest in this company so that it can continue to be not only the highest-quality producer of steel but now one of the most cost-efficient, so that no matter what happens in the economy in the next 10, 15 or 20 years, Algoma Steel will still be able to sell steel.

That is only part of the northern Ontario story, only part of the reason why northern Ontario in the election of June 8 voted solidly in a large part of its jurisdiction for New Democrats and, if not New Democrats, for Liberals, because we did that kind of thing, because we brought together in places like Thunder Bay and Kapuskasing—and they're only two—management and labour, supported by a government that believed that management and labour together, given the opportunity, and in partnership with the financial institutions could come up with new ways of doing business that would be good for the communities in which those enterprises were located and would be good for the economy of that area as a whole.

So we have a story in northern Ontario to tell. It hasn't been told very well. It will be told, I believe, as the future unfolds, in ever more glowing terms and in ever more widening circles.

When I consider what this government is looking to do re the dismantling of the labour union movement, taking them out of the system, minimizing the impact that they can have, it also becomes very personal for me, as a young person at one point in my story, given a circumstance where my father, who was a cleaner, went to his employer and said, "I need a raise in pay." My mother worked alongside of him there. The answer that came back was: "Mike, we can give you a raise in pay, but to do that we have to cut back on Rose's hours. We think that she should probably be spending a little bit more time at home with the kids anyway." A very machiavellian approach, a very arrogant approach to labour relations, I would say.

So my dad phoned up Clarence Dungey, whom my good friend Bud Wildman and I know quite well, and it wasn't long before Clarence was up in the community that we lived in and did a little dance on the desk of the administration of that particular institution. My dad got the needed raise in pay that he required. My mother got a little raise in pay for the work that she'd done, so that now they could afford to continue to feed us seven kids, pay the mortgage on the house that we were able to buy then, and have a benefit plan that allowed us kids and my folks to do things that so many of us and you take for granted today: get our teeth fixed, buy glasses if we couldn't see, and those kinds of things.

So to think that an institution, an organization, that played such an important part in my personal life, in my personal story, in the raising, the elevating, of the quality of life of my family, and in turn the whole of Sault Ste Marie, because when one unit of a community—

Mr Beaubien: A great hockey town.

Mr Martin: A great hockey town, that's right—is raised up a bit, we then could participate more fully in the economic life of that little community. We could then participate more fully in the social life and every other facet of that community. That goes for every family unit, every person, every individual in this province. When he has a job to go to, a job that pays well, a job that has benefits attached and a pension plan, he feels more—

The Speaker (Hon Allan K. McLean): The member's time has expired.

Mr Martin: Pardon?

The Speaker: The member's time has expired.

Mr Martin: He feels more secure and healthy and contributes in that way. So I guess it saddens me to think that this might be disappearing—

The Speaker: Order. The member's time has expired. Questions and comments?

Mrs Margaret Marland (Mississauga South): It's actually very interesting to listen to the member for Sault Ste Marie talk about what his father and mother did. I'm a little older than the member is, and I say that with respect, but it is rather interesting, because I think the era of the example that you give about your own parents—and I'm saying "Tony," but I know I have to refer to you by your riding. But it is to do with the era in terms of the kind of comment that an employer would make about whether your mother should be home with the children or should be working fewer hours, in terms of that example.

I think about my own parents, who immigrated here in 1930, and in the case of my father, the only job that he could get was working for the Robert Simpson Co in one of their departments, and my mother at that time couldn't get a job at all. It's interesting to know that when my father decided that he had to have more income, they actually established a service station, and my father had the work ethic to dig the holes for the tanks at that service station and my mother pumped the gas.

The point of this example is that there was a very strong work ethic on the part of two individuals to survive in the 1930s in the Depression. I think when you talk about workplaces and workplace safety, you have to appreciate that that is a goal of this government today in 1995.

1800

Mr Bud Wildman (Algoma): I wanted to make a comment on my colleague's remarks. I found it interesting that my friend the member for Mississauga South related a little homily for us about her parents and how they had done well through hard work and so on. I'm glad to hear that, and I know that she benefited from that.

But the main point I think of my colleague's remarks was that our government strove, in the north particularly but also at McDonnell Douglas for example in the

Toronto area, to develop a partnership between business and labour, management and workers, to be able to benefit the whole of the enterprise and society.

Algoma Steel benefited from that. We believe that the Workers' Compensation Board also benefited from that bipartite approach; a very, very difficult organization to come to grips with, that all governments and all members of the Legislature, and particularly employers and workers, have had difficulty with over the years.

The partnership that was developing was beginning to have some fruit, and it's unfortunate that this government has decided to tear that down and through other developments that they have brought in, such as Bill 7, to poison the relationship between management and labour to the point that we may in fact have serious difficulties in this province in our economy, at a time when we should be working together for the benefit of all in our society.

The Speaker: I would allow the member for Sault Ste Marie two minutes to wrap up.

Mr Martin: I appreciate the comments of my colleagues. What we're looking for in this province is stability and consumer confidence. What attracts business to Ontario? A stable, well-educated, healthy workforce and consumers, good hydro rates, a strong public service, some continuity and commitment, training, an entrepreneurial spirit.

I guess my fear is that this is not going to happen. My fear is that this is not going to happen under the leadership of this government, particularly if they continue with the agenda that we've seen unfold over the last short number of months in this place.

What you're going to get, in my honest opinion, is a demoralized, dispirited workforce, and particularly an uneasy, paranoid civil service. That doesn't speak to me to the stability and consumer confidence that we need in this province if we're going to progress and do well together and provide a standard of living and a quality of life that will be good for everybody and, in turn, be attractive to that investment that we so desperately want to come and take up root here in this province of ours.

The Speaker: Pursuant to standing order 34, the question that this House now stands adjourned is deemed to have been made. We've had a request from the member for Hamilton East with regard to standing order 34. We have to have unanimous consent if we want to hear this late show. Do we have unanimous consent to proceed? Agreed.

NOTICE OF DISSATISFACTION

The Speaker (Hon Allan K. McLean): Pursuant to standing order 34(a), the member for Hamilton East has given notice of his dissatisfaction with the answer to his question given by the minister responsible for women's issues concerning funding cuts to the Association of Interval and Transition Houses. There will be a response by either the minister or the parliamentary assistant to the minister.

SERVICES FOR ABUSED WOMEN

Mr Dominic Agostino (Hamilton East): I want to thank the House for the opportunity. I'm here tonight because the minister of women's issues and this govern-

ment as a whole have failed to acknowledge and deal with in this House the effect their cuts on battered women and their families across Ontario are having.

This government has launched an all-out fiscal assault on battered women across Ontario. It has launched another attack which is even more disturbing than the cuts to the services. It has deliberately and forcefully worked to silence the critics of those brutal and unjust cuts to battered women's services across this province. "We will cut your funding or audit your books if you dare to speak out" is the message delivered by the ministers of the Harris government to women across this province.

On October 19, Minister Cunningham met with the Ontario Association of Interval and Transition Houses and asked for ideas and information for the future at that meeting. This group represents organizations that provide emergency shelters that abused women rely on across this province. They come together to coordinate and pool ideas to serve women more effectively, abused women in this province, through their help. It is exactly the type of concept this government is encouraging and endorsing in every aspect of social services.

Following this meeting, this group learned on October 31, 1995, that 100% of its funding would be eliminated as of April 1, 1996, for a total of \$65,620. This group opposed the government. The Ontario Association of Interval and Transition Houses dared to speak out against this government and its cuts. They raised their concerns with the minister at the meeting and two weeks later their funding received a 100% cut. Maybe it's a coincidence. Maybe it is intentional. It appears to be a pattern developing.

We turn to London, the minister's home town, where we hear details she gave to Julie Lee, executive director of the London Battered Women's Advocacy Centre.

"Within the context of this government, you need to understand that groups or agencies that are seen not to be working with the government, providing an oppositional voice...will be audited and their funding eliminated."

Democracy Conservative style: "You speak out against us, we're going to cut you off at the knees. We're going to cut off your funding."

Should Harmony House in Ottawa not speak out for the people it serves and protects? Should Bethlehem Place in St Catharines just close its doors without stopping and saying, "Wait, something's wrong here"? We have billions of dollars to give the rich in tax cuts but we don't have the money to continue to protect battered women across this province. Where is the common sense in all of this?

The government is going to tell us that it spends a lot of money on women's services across Ontario. I know that the member will tell us how much they spend and the service they provide. But what it fails to acknowledge is very clearly that this demand is still there, that agencies and shelters across Ontario are having a difficult time meeting that demand and many of the crucial services that abused women across Ontario rely on every day—and often it's not a question of convenience; it is a

question of safety, it is a question of their life being in jeopardy if they could not turn to one of these services. We have this government that, instead of trying to address those issues, threatens the people who oppose it, threatens the people it was elected to serve and protect.

In Sudbury the YWCA operates a shelter and second-stage housing program that I was able to visit in September, an essential service for the people of Sudbury, yet another victim, another target of Tory cuts, with 100% of the counselling services and the second-stage housing being cut—another example of complete withdrawals, another example of Mike Harris and Dianne Cunningham and their efforts to continue to put women's safety in jeopardy at the expense of the 30% cut for the rich in the province.

I remember the silence of the minister on the first day of Wife Assault Prevention Month. I remember the Conservative members silencing the opposition when we tried to mark this important day. I guess if I were sitting across the floor and I were responsible for these cuts, I too would be silent. Perhaps when you commit these shameless acts you have nothing else to offer but silence to the women in this province. But I know that the minister can offer more. I've seen the minister defend Mike Harris with compassion and conviction.

I have seen Dianne Cunningham speak out to protect the vulnerable in the past when she sat on the other side of the floor. I have seen her speak out about women providing leadership during her run against Mike Harris for the Conservative Party leadership. I have seen that Dianne Cunningham. I would like to see that Dianne Cunningham again, at the cabinet table and on the floor of this House, defend women, defend the shelters, defend the abused women who need your help, with that same passion, with that same compassion, with that same care that she demonstrated when she was in opposition.

I believe she has those values that she has brought to the Legislature for many years and I urge the minister to return to the cabinet table with the same values, the same compassion and to defend women across this province, defend the women who need your help. Stop simply being a lap dog of the decision made by Mike Harris and his cabinet, who obviously do not have any understanding of the needs of women and particularly abused women across this province. Speak out for the people you are elected to protect, not simply—

The Speaker (Hon Allan K. McLean): Time has expired. I don't see the minister or the parliamentary assistant here. Do we have unanimous consent for the member for Durham West to respond? Agreed.

Mrs Janet Ecker (Durham West): To the member for Hamilton East, who I acknowledge is certainly very sincere about his concerns in this matter: The minister herself would have wanted to be here but unfortunately could not be, and I'm very pleased to rise in her place to provide an explanation of this government's approach to providing core services for women in need in this very, very important area.

The member for Hamilton East has described the minister well in terms of her commitment, in terms of her passion, in terms of her interest in this issue. I know and

I have seen her exercise that passion and that commitment many times in many discussions. I think it is very important to note that this government remains committed to addressing the issues that affect women and children in Ontario, including supports for victims of violence, who are proportionately usually more women who are victims of violence.

Those services are still in place. We fund 98 emergency shelters in this province and we're providing something like \$15 million dollars in community counselling funding. I think that's a demonstration of the commitment that this government has made to this issue.

We have something like \$100 million in program support annually for our violence prevention initiatives, where through the efforts of the Ministry of Community and Social Services, Citizenship, Health, the AG, the Solicitor General, Education and the women's directorate we develop services and we put dollars into efficient uses to help women in these circumstances.

The minister responsible for women's issues, in cooperation with the Minister of Education and Training, has also launched recently a kit that is called *The Joke's Over*. It's aimed at ending student-to-student sexual harassment in our schools, an issue that we think is very, very important. It's the attitudes and socialization that lead to violence, and we must work to end the horrifying fact that after the age of 16, half of Canadian women are physically or sexually assaulted.

The minister responsible for women's issues has been active in addressing the issue of sex-role stereotyping through the release of several important resources, through the Ontario women's directorate, such as two kits for teachers and parents designed to end the classroom barriers for girls.

High school girls are underrepresented in numerous fields, such as maths and sciences, and women are underrepresented in numerous professional fields as well. We all recognize this and we're all prepared to work to deal with the barriers that face equal opportunity for women. We cannot end the cycle of gender socialization in our society if we do not address these, and we are working to that end now.

But our mandate for change in this province is to restore jobs and hope and opportunity for all citizens, and a woman herself needs the job, like everyone needs the job, and our economic agenda is designed to do that. If women and men were equal partners in economic growth,

we would be able to add \$168 billion to our economy annually.

For 10 years, however, under the last two governments, we've seen government spending creeping higher, we've seen our debt load begin to spiral out of control, and our Common Sense Revolution, our agenda for change, is for all Ontarians and they will benefit. This government will reduce that spending problem and end our out-of-control debt spiral. That's the only way we're going to protect the services that women need.

The minister responsible for women's issues has worked actively with the Minister of Community and Social Services, the Attorney General and the Solicitor General on the issue of victims' rights, as our government develops a Victims' Bill of Rights for them.

I think also it's important to note that in this Wife Assault Prevention Month, the Ontario women's directorate has supported 112 community organizations across this province in the development of public education campaigns, and numerous members are actively involved in supporting these initiatives across the ridings. I think you will agree that those are also very, very important initiatives that we have undertaken as this government.

I think it's important to remember, and I must confess that I sometimes feel quite concerned about the fear that is being engendered by our honourable colleagues opposite when they try and say that all these services have been taken away, that all these services, the funding is gone, that this is not true.

We continue to fund second-stage shelters through the Ministry of Housing. We're committed to protecting core services for women. In this time, when this government has to learn to live within its means, as every family out there has had to learn to live within its means, we are prepared to make those difficult decisions to make sure that those core services are there for people who are most in need.

That's what our government is planning to do and that's what we will continue to do. That's what the election was about and that is the mandate that we have been given by this province.

The Speaker: There being no further matter to debate, I deem the motion to adjourn to have been carried. This House stands adjourned until tomorrow morning at 11 of the clock.

The House adjourned at 1815.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Lt Col The Hon / L'hon Henry N.R. Jackman CM, KStJ, BA, LLB, LLD

Speaker / Président: Hon / L'hon Allan K. McLean

Clerk / Greffier: Claude L. DesRosiers

Senior Clerk Assistant and Clerk of Journals / Greffier adjoint principal et Greffier des journaux: Alex D. McFedries

Clerk Assistant and Clerk of Committees / Greffière adjointe et Greffière des comités: Deborah Deller

Sergeant at Arms / Sergent d'armes: Thomas Stelling

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma	Wildman, Bud (ND)	Hastings-Peterborough	Danford, Harry (PC)
Algoma-Manitoulin	Brown, Michael A. (L)	High Park-Swansea	Shea, Derwyn (PC)
Beaches-Woodbine	Lankin, Frances (ND)	Huron	Johns, Helen (PC)
Brampton North / -Nord	Spina, Joseph (PC)	Kenora	Miclash, Frank (L)
Brampton South / -Sud	Clement, Tony (PC)	Kingston and The Islands / Kingston et Les Îles	Gerretsen, John (L)
Brant-Haldimand	Preston, Peter L. (PC)	Kitchener	Wettlaufer, Wayne (PC)
Brantford	Johnson, Ron (PC)	Kitchener-Wilmot	Leadston, Gary L. (PC)
Bruce	Fisher, Barb (PC)	Lake Nipigon / Lac-Nipigon	Pouliot, Gilles (ND)
Burlington South / -Sud	Jackson, Hon / L'hon Cameron (PC) Minister without Portfolio (Workers' Compensation Board) / ministre sans portefeuille, ministre responsable de la Commission des accidents du travail	Lambton	Beaubien, Marcel (PC)
Cambridge	Martiniuk, Gerry (PC)	Lanark-Renfrew	Jordan, Leo (PC)
Carleton	Sterling, Hon / L'hon Norman W. (PC) Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce	Lawrence	Cordiano, Joseph (L)
Carleton East / -Est	Morin, Gilles E. (L)	Leeds-Grenville	Runciman, Hon / L'hon Robert W. (PC) Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels
Chatham-Kent	Carroll, Jack (PC)	Lincoln	Sheehan, Frank (PC)
Cochrane North / -Nord	Wood, Len (ND)	London Centre / -Centre	Boyd, Marion (ND)
Cochrane South / -Sud	Bisson, Gilles (ND)	London North / -Nord	Cunningham, Hon / L'hon Dianne (PC) Minister of Intergovernmental Affairs, ministre responsable for women's issues / ministre des Affaires intergouvernementales, ministre déléguée à la Condition féminine
Cornwall	Cleary, John C. (L)	London South / -Sud	Wood, Bob (PC)
Don Mills	Johnson, Hon / L'hon David (PC) Chair of the Management Board of Cabinet / président du Conseil de gestion	Markham	Tsubouchi, Hon / L'hon David H. (PC) Minister of Community and Social Services / ministre des Services sociaux et communautaires
Dovercourt	Silipo, Tony (ND)	Middlesex	Smith, Bruce (PC)
Downsview	Castrilli, Annamarie (L)	Mississauga East / -Est	DeFaria, Carl (PC)
Dufferin-Peel	Tilson, David (PC)	Mississauga North / -Nord	Snobelen, Hon / L'hon John (PC) Minister of Education and Training / ministère de l'Éducation et de la Formation
Durham Centre / -Centre	Flaherty, Jim (PC)	Mississauga South / -Sud	Marland, Margaret (PC)
Durham East / -Est	O'Toole, John R. (PC)	Mississauga West / -Ouest	Sampson, Rob (PC)
Durham West / -Ouest	Ecker, Janet (PC)	Muskoka-Georgian Bay / Muskoka-Baie-Georgienne	Grimmett, Bill (PC)
Durham-York	Munro, Julia (PC)	Nepean	Baird, John R. (PC)
Eglinton	Saunderson, Hon / L'hon William (PC) Minister of Economic Development, Trade and Tourism / ministre du Développement économique, du Commerce et du Tourisme	Niagara Falls	Maves, Bart (PC)
Elgin	North, Peter (Ind)	Niagara South / -Sud	Hudak, Tim (PC)
Essex-Kent	Hoy, Pat (L)	Nickel Belt	Laughren, Floyd (ND)
Essex South / -Sud	Crozier, Bruce (L)	Nipissing	Harris, Hon / L'hon Michael D. (PC) Premier and President of the Executive Council / premier ministre et président du Conseil exécutif
Etobicoke-Humber	Ford, Douglas B. (PC)	Norfolk	Barrett, Toby (PC)
Etobicoke-Lakeshore	Kells, Morley (PC)	Northumberland	Galt, Doug (PC)
Etobicoke-Rexdale	Hastings, John (PC)	Oakville South / -Sud	Carr, Gary (PC)
Etobicoke West / -Ouest	Stockwell, Chris (PC)	Oakwood	Colle, Mike (L)
Fort William	McLeod, Lyn (L) Leader of the Opposition / chef de l'opposition	Oriole	Caplan, Elinor (L)
Fort York	Marchese, Rosario (ND)	Oshawa	Ouellette, Jerry J. (PC)
Frontenac-Addington	Vankoughnet, Bill (PC)	Ottawa Centre / -Centre	Patten, Richard (L)
Grey-Owen Sound	Murdoch, Bill (PC)	Ottawa East / -Est	Grandmaître, Bernard (L)
Guelph	Elliott, Hon / L'hon Brenda (PC) Minister of Environment and Energy / ministre de l'Environnement et de l'Énergie	Ottawa-Rideau	Guzzo, Garry J. (PC)
Halton Centre / -Centre	Young, Terence H. (PC)	Ottawa South / -Sud	McGuinty, Dalton (L)
Halton North / -Nord	Chudleigh, Ted (PC)	Ottawa West / -Ouest	Chiarelli, Robert (L)
Hamilton Centre / -Centre	Christopherson, David (ND)	Oxford	Hardeman, Ernie (PC)
Hamilton East / -Est	Agostino, Dominic (L)	Parkdale	Ruprecht, Tony (L)
Hamilton Mountain	Pettit, Trevor (PC)		
Hamilton West / -Ouest	Ross, Lillian (PC)		

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Parry Sound	Eves, Hon / L'hon Ernie L. (PC) Deputy Premier, Minister of Finance, government House leader / vice-premier ministre, ministre des Finances, leader parlementaire du gouvernement	Scarborough North / -Nord	Curling, Alvin (L)
Perth	Johnson, Bert (PC)	Scarborough West / -Ouest	Brown, Jim (PC)
Peterborough	Stewart, R. Gary (PC)	Simcoe Centre / -Centre	Tascona, Joseph N. (PC)
Port Arthur	Gravelle, Michael (L)	Simcoe East / -Est	McLean, Hon / L'hon Allan K. (PC) Speaker / Président
Prescott and Russell / Prescott et Russell	Lalonde, Jean-Marc (L)	Simcoe West / -Ouest	Wilson, Hon / L'hon Jim (PC) Minister of Health / ministre de la Santé
Prince Edward-Lennox- South Hastings / Prince Edward-Lennox- Hastings-Sud	Fox, Gary (PC)	Sudbury	Bartolucci, Rick (L)
Quinte	Rollins, E.J. Douglas (PC)	Sudbury East / -Est	Martel, Shelley (ND)
Rainy River	Hampton, Howard (ND)	Timiskaming	Ramsay, David (L)
Renfrew North / -Nord	Conway, Sean G. (L)	Victoria-Haliburton	Hodgson, Hon / L'hon Chris (PC) Minister of Natural Resources, Minister of Northern Development and Mines / ministre des Richesses naturelles, ministre du Développement du Nord et des Mines
Riverdale	Churley, Marilyn (ND)	Waterloo North / -Nord	Witmer, Hon / L'hon Elizabeth (PC) Minister of Labour / ministre du Travail
S-D-G & East Grenville / S-D-G et Grenville-Est	Villeneuve, Hon / L'hon Noble (PC) Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales, ministre délégué aux Affaires francophones	Welland-Thorold	Kormos, Peter (ND)
St Andrew-St Patrick	Bassett, Isabel (PC)	Wellington	Arnott, Ted (PC)
St Catharines	Bradley, James J. (L)	Wentworth East / -Est	Doyle, Ed (PC)
St Catharines-Brock	Froese, Tom (PC)	Wentworth North / -Nord	Skarica, Toni (PC)
St George-St David	Leach, Hon / L'hon Al (PC) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement	Willowdale	Harnick, Hon / L'hon Charles (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Sarnia	Boushy, Dave (PC)	Wilson Heights	Kwinter, Monte (L)
Sault Ste Marie / Sault-Sainte-Marie	Martin, Tony (ND)	Windsor-Riverside	Cooke, David S. (ND)
Scarborough-Agincourt	Phillips, Gerry (L)	Windsor-Sandwich	Pupatello, Sandra (L)
Scarborough Centre / -Centre	Newman, Dan (PC)	Windsor-Walkerville	Duncan, Dwight (L)
Scarborough East / -Est	Gilchrist, Steve (PC)	York Centre / -Centre	Palladini, Hon / L'hon Al (PC) Minister of Transportation / ministre des Transports
Scarborough-Ellesmere	Mushinski, Hon / L'hon Marilyn (PC) Minister of Citizenship, Culture and Recreation / ministre des Affaires civiques, de la Culture et des Loisirs	York East / -Est	Parker, John L. (PC)
		York Mills	Turnbull, David (PC)
		York-Mackenzie	Klees, Frank (PC)
		York South / -Sud	Rae, Bob (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
		Yorkview	Sergio, Mario (L)

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

ADJOURNMENT DEBATE	
Services for abused women	
Mr Agostino	816
Mrs Ecker	817

OTHER BUSINESS	
Business of the House	
Mr Eves	795
Economic statement	
Mr Eves	795
Notice of dissatisfaction	
Mr Agostino	816

TABLE DES MATIÈRES

jeudi 16 novembre 1995

AFFAIRES D'INTÉRÊT PUBLIC ÉMANANT DES DÉPUTÉS	
Loi de 1995 modifiant la Loi sur l'aménagement des voies publiques et des transports en commun, projet de loi 16, M. Gravelle	
Deuxième lecture	765
Rejetée	780
Loi de 1995 sur les franchises, projet de loi 13, M. Martin	
Deuxième lecture	773
Rejetée	780

PREMIÈRE LECTURE	
Loi de 1995 sur la protection et l'aménagement du territoire, projet de loi 20, M. Leach	
Adoptée	798
Loi de 1995 sur les fondations pour les hôpitaux publics, projet de loi 21, M. Hastings	
Adoptée	798

DEUXIÈME LECTURE	
Loi de 1995 modifiant la Loi sur les accidents du travail et la Loi sur la santé et la sécurité au travail, projet de loi 15, M^{me} Witmer	
M. Lalonde	799, 801
Débat ajourné	816

CONTENTS

Thursday 16 November 1995

PRIVATE MEMBERS' PUBLIC BUSINESS Public Transportation and Highway Improvement Amendment Act, 1995, Bill 16,

Mr Gravelle, second reading

Mr Gravelle	765, 772
Mr Pouliot	766
Mr Ouellette	768
Mr Michael Brown	768
Mr Bartolucci	769
Mr Miclash	769
Ms Martel	770
Mr Tilson	771
Mr Lalonde	772
Negatived	780

Franchises Act, 1995, Bill 13,

Mr Martin, second reading,

Mr Martin	773, 780
Mr Flaherty	774
Mr Crozier	775
Mr Marchese	775
Mr Sampson	776
Mr Gerretsen	777
Mr Kormos	778
Mr Tilson	779
Negatived	780

MEMBERS' STATEMENTS

Tourism

Mr Miclash	781
------------	-----

Volunteers

Mr Hampton	781
------------	-----

Henry Oliveria

Mr DeFaria	782
------------	-----

Minister of Transportation

Mr Bartolucci	782
---------------	-----

Family resource programs

Ms Churley	782
------------	-----

Peterborough Festival of Trees

Mr Stewart	782
------------	-----

Fire safety awards

Mr Hoy	783
--------	-----

Mr Froese	783
-----------	-----

Highway safety

Mr Len Wood	783
-------------	-----

Conservation authorities

Mr North	783
----------	-----

STATEMENTS BY THE MINISTRY

AND RESPONSES

Municipal planning

Mr Leach	784
----------	-----

Mr Gerretsen	784
--------------	-----

Ms Churley	785
------------	-----

ORAL QUESTIONS

Ministry adviser

Mr Duncan	786
-----------	-----

Mr Eves	786
---------	-----

Tax evasion

Mr Agostino	786
-------------	-----

Mr Eves	786, 788
---------	----------

Mr Rae	787
--------	-----

Bus transportation

Mr Rae	788
--------	-----

Mr Palladini	788
--------------	-----

Health care funding

Mrs Caplan	789
------------	-----

Mr Eves	789
---------	-----

Taxation

Ms Lankin	790
-----------	-----

Mr Eves	790
---------	-----

Pork industry

Mrs Johns	790
-----------	-----

Mr Villeneuve	791
---------------	-----

Bernardo house

Mr Bradley	791
------------	-----

Mr Harnick	791
------------	-----

Highway safety

Mr Pouliot	791
------------	-----

Mr Palladini	791
--------------	-----

Environmental protection

Mrs Fisher	792
------------	-----

Mrs Elliott	792
-------------	-----

Contaminated soil

Mr McGuinty	792
-------------	-----

Mrs Elliott	792
-------------	-----

Employment legislation

Mr Marchese	793
-------------	-----

Ms Mushinski	793
--------------	-----

Elevator inspections

Mr Tascona	793
------------	-----

Mr Sterling	793
-------------	-----

Municipal government

Mr Gerretsen	794
--------------	-----

Mr Leach	794
----------	-----

Environmental assessment

Ms Lankin	794
-----------	-----

Mrs Elliott	794
-------------	-----

MOTIONS

Private members' public business

Mr Eves	794
---------	-----

Agreed to	794
-----------	-----

Estimates

Mr Eves	795
---------	-----

Agreed to	795
-----------	-----

Committee sittings

Mr Eves	795
---------	-----

Agreed to	795
-----------	-----

PETITIONS

Queen Street Mental Health Centre

Mr Ruprecht	795
-------------	-----

Labour legislation

Ms Lankin	795
-----------	-----

Runnymede Chronic Care Hospital

Mr Shea	796
---------	-----

Hospital restructuring

Mr Kwinter	796
------------	-----

Common Sense Revolution

Ms Martel	796
-----------	-----

Community-based justice options

Mr Galt	796
---------	-----

Highway safety

Mr Curling	796
------------	-----

Mr Gravelle	797
-------------	-----

Mr Miclash	797
------------	-----

Mr Ramsay	797
-----------	-----

Mr Lalonde	798
------------	-----

St Stephen's Secondary School

Mr O'Toole	797
------------	-----

Amalgamation of school boards

Mr Baird	797
----------	-----

Pornography

Mr Beaubien	797
-------------	-----

Eglinton west subway

Mr Gerretsen	797
--------------	-----

REPORTS BY COMMITTEES

Standing committee on estimates

Mr Curling

Report deemed received	798
------------------------	-----

FIRST READINGS

Land Use Planning and Protection

Act, 1995, Bill 20, Mr Leach,

Agreed to	798
-----------	-----

Public Hospital Foundations Act,

1995, Bill 21,

<i>Mr Hastings</i>	798
--------------------	-----

Agreed to	798
-----------	-----

SECOND READINGS

Workers' Compensation and

Occupational Health and Safety

Amendment Act, 1995, Bill 15,

Mrs Witmer

Mr Ford	798
---------	-----

Mr Lalonde	799, 801
------------	----------

Mr Hudak	800
----------	-----

Mr Baird	800
----------	-----

Mr Kormos	801, 805
-----------	----------

Mrs Caplan	804, 812
------------	----------

Mr Ron Johnson	804, 809
----------------	----------

Mr Pouliot	804
------------	-----

Mr Hastings	805, 810
-------------	----------

Mr Sergio	809, 810, 812
-----------	---------------

Mr Martin	812, 816
-----------	----------

Mrs Marland	816
-------------	-----

Mr Wildman	816
------------	-----

Debate adjourned	816
------------------	-----

Continued overleaf

CAN
X1
-023

Gent. P. M.

Government
Publications



No. 25

N° 25

ISSN 1180-2987

Legislative Assembly
of Ontario
First Session, 36th Parliament

Assemblée législative
de l'Ontario
Première session, 36^e législature

Official Report of Debates (Hansard)

Journal des débats (Hansard)

Friday 17 November 1995

Vendredi 17 novembre 1995

Speaker
Honourable Allan K. McLean

Président
L'honorable Allan K. McLean

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

Hansard on your computer

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. For a brochure describing the service, call 416-325-3942.

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-7411.

Subscriptions

Subscription information may be obtained from: Sessional Subscription Service, Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur votre ordinateur

Le Journal des débats et d'autres documents de l'Assemblée législative pourront paraître sur l'écran de votre ordinateur personnel en quelques heures seulement après la séance. Pour obtenir une brochure décrivant le service, téléphoner au 416-325-3942.

Renseignements sur l'Index

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-7411.

Abonnements

Pour les abonnements, veuillez prendre contact avec le Service d'abonnement parlementaire, Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311 ou, sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

Friday 17 November 1995

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Vendredi 17 novembre 1995

The House met at 1102.

Prayers.

ORDERS OF THE DAY

WORKERS' COMPENSATION
AND OCCUPATIONAL HEALTH AND SAFETY
AMENDMENT ACT, 1995

LOI DE 1995 MODIFIANT LA LOI
SUR LES ACCIDENTS DU TRAVAIL
ET LA LOI SUR LA SANTÉ
ET LA SÉCURITÉ AU TRAVAIL

Resuming the adjourned debate on the motion for second reading of Bill 15, An Act to amend the Workers' Compensation Act and the Occupational Health and Safety Act / Projet de loi 15, Loi modifiant la Loi sur les accidents du travail et la Loi sur la santé et la sécurité au travail.

Mr Joseph N. Tascona (Simcoe Centre): I would like to join the debate by voicing my support for the Minister of Labour in second reading of Bill 15, An Act to amend the Workers' Compensation Act and the Occupational Health and Safety Act.

I support Bill 15 because of two key factors. I believe Bill 15 will put the WCB back on track to becoming accountable to all of its stakeholders, and I believe it will ensure that the WCB gets value for its money. I believe that by reforming the board, my government will be able to ensure the board can answer to the people it serves today as well as the people it will serve tomorrow and in the years to come.

My honourable colleague the Minister of Labour has correctly stated that the WCB is on the brink of a financial crisis. The past decade has left the board in a very vulnerable position, with an unfunded liability of \$11.4 billion. We cannot sit back and watch this unfunded liability continue to skyrocket as it has in the past 10 years. As a government, we have the responsibility to restore accountability and plan for future needs.

It is crucial that the board be accountable to all its stakeholders: employees who depend on it, employers who pay into it and all Ontarians who need to know the system will be there when they need it.

Many of the issues addressed in Bill 15 will help restore the desperately needed accountability. The proposed multipartite board of directors will ensure the interests of all parties are considered. Anti-fraud measures will crack down on abuse of the system and help bring about some much-needed fiscal health so that the money is there for those who need it. Value-for-money, and it's performed by an external auditor, will make sure money is being spent effectively and wisely. Restoring the board to its original mandate as a workplace accident insurance program will streamline the processes of the board and make it easier for workers to obtain the service they need.

I support Bill 15 because it will start the first phase in a two-part process to reform the WCB to what it should be: a fiscally responsible insurance plan that is accountable to its clients and users.

Bill 15 is the first step in eliminating the board's unfunded liability by the year 2014. Such a huge unfunded liability is unheard of in the rest of Canada and has the potential to permanently cripple Ontario's WCB. We must not let this happen. We owe it to the people of Ontario to turn the WCB around.

I've heard numerous complaints and concerns about the WCB since I became the MPP for Simcoe Centre. Many constituents have written or phoned to give me their suggestions about how we can make WCB better. I have listened to concerns from all sides of the table, from workers who wait too long to obtain service on their claims, to employers who simply cannot afford the high premiums and the time-consuming processes related to dealing with the WCB.

Employees call my constituency office and tell me they wait too long to receive benefits from accident and injury claims. They complain that the process is too complicated and difficult to understand, that it takes too long to get straightforward answers from the board.

The WCB has lost sight of its root purpose: to provide insurance to Ontarians for injuries caused by work. Bill 15 will begin the task of fixing that.

Other employees have written to tell me they know it is difficult for their employers to pay their WCB premiums. Employers have told me that the WCB premiums they must pay are too onerous. Ontario employers already pay the second-highest workers' compensation premiums in the country, yet we still have this huge unfunded liability. We must solve this problem.

These high premiums employers now pay are especially difficult for small and medium-sized businesses, which are the economic backbone in many communities. These small and medium-sized businesses, or mom-and-pop shops, as one constituent described her family's butcher shop, want to know there is a mechanism in place to care for their employees should an accident happen on the job. But they also deserve to know the premiums they must pay are set fairly and are being spent wisely. High premiums also make it difficult for mom-and-pop shops to compete, let alone stay open.

My constituents are already telling me that their taxes are too high. I do not want to live in a province where businesses are closing their doors because they cannot afford to pay their Workers' Compensation Board premiums. I also don't want to tell my constituents that the WCB closed its doors because it had no money left to support the future needs of injured workers, or that my government sat back and let that happen.

I regret, however, such circumstances could be a reality if we don't make the board fiscally responsible. We must redesign the board so that it is able to meet today's requirements and plan for the future. I know the board has already had to dip into funds set aside for future demands and that must not continue. We must make the WCB more responsible. We must make it more accountable and responsive to its stakeholders. We can do this by bringing Bill 15 into law.

1110

Bill 15 will ensure that value-for-money audits, like those you would find in any publicly held corporation, will make the board operate at optimum effectiveness and stay financially sound for years to come. Past audits haven't necessarily focused on critical program areas where efficiency is needed. Such efficiency is greatly needed in the claims delivery system which generates many of the board's costs.

Bill 15 will provide for a provision so that the minister can direct that specific areas be audited. Under our proposed changes, audits will be regular and mandatory and will respond to the changing needs of the board and its clients.

The WCB will also be required to act on recommendations. As a result, the WCB will operate more economically. The board will also become more financially accountable at all levels thanks to a stronger purpose clause in the Workers' Compensation Act. There will also be provisions in place that will require the board to provide the minister with a five-year strategic plan, a statement of priorities and investment policies.

Bill 15 will get tough on WCB fraud and make both employers and employees who cheat the system answer for their actions.

We all know the people of Ontario work hard, but we find ourselves in a situation where organizations like the WCB have lost their sense of direction. WCB staff work hard to serve their clients, but the current process makes it difficult for them to do that. We are in a situation where businesses work hard to stay competitive, but are saddled with outrageously high WCB premiums and payroll taxes. We are in a situation where employees who work hard to put food on the table today can't count on an injury insurance plan being there if they hurt themselves on the job tomorrow.

I urge my colleagues to vote to pass Bill 15 on this its second reading. We need to make the WCB answer to the people it serves so that we can ensure its health and viability for those who will need it in the future.

The Speaker (Hon Allan K. McLean): Questions or comments?

Mr Gilles Bisson (Cochrane South): I'd just like to take this short opportunity in order to comment on the speech made by the honourable member. I note in the speech we're hearing something coming up over and over again on the part of the government members whenever they want to effect change in any direction from what was already the practice in the province of Ontario.

It started last summer when the Minister of Education and Training went and spoke to all of his senior ministry

staff and said, "Listen guys, I want to make changes within the Ministry of Education in order to fit the ideology of the Progressive Conservative Party, so therefore we will create a crisis." That was the first time.

Then we heard it a second time through the Premier himself and through the Ministry of Community and Social Services when they talked again about the crisis they're having to deal with in their particular area.

Now we're hearing the member opposite talk about the crisis at the Workers' Compensation Board in regard to the unfunded liability as the reason why we have to, quite simply, attack the injured workers of this province by taking away their benefits and their ability to be able to collect workers' compensation in the event they become injured.

I want to remind the members of this House that the reason we have a workers' compensation system in this province is to do exactly that: It's to compensate injured workers in the event of accidents. You cannot legislate away accidents by changing it through the workers' compensation system the way you're doing it now.

I predict that accidents will go up, because you're taking away the ability, through the Minister of Labour, for workers and employers to work towards better safety practices in the workplace by doing away with the health and safety agency, by doing away with the powers of employees through Bill 7. For you to come into this House and all of a sudden say, "We're doing this because there's a fiscal crisis," I think is way off base and quite frankly I think is—I can't say "lying" in the House. I won't use the word.

I would remind members that there is a plan to deal with the unfunded liability of the Workers' Compensation Board. It was done under the New Democratic government, and in fact the unfunded liability will be gone by the year 2014 as it is. So the crisis is much an invented one.

Mrs Margaret Marland (Mississauga South): I will respond to the comments made by our member, the member for—

Interjection: Simcoe Centre.

Mrs Marland: Simcoe Centre. Thank you. You know what I've just discovered? I guess we're saving money in how we print these seating plans, because the print now rubs off them. That's why I couldn't—

Ms Shelley Martel (Sudbury East): You need bigger glasses, Margaret.

Mrs Marland: I'm going to take them off, Shelley, for your sake.

What really concerns me is that there are members in this House who can't see the big picture. I think when a member says as a result of the comments of our member for Simcoe Centre that what he feels is going to happen is, yes, he predicts accidents are going to go up, he predicts—not today did he say this, but we've heard a lot about the threats and the doom and gloom, violence on the picket lines because of strikes.

If we were to sit back and do absolutely nothing—there will always, tragically, be accidents in the workplace. The fact is that when protection of workers

was established in this province, it was not established by a New Democratic Party government; it was established by a Conservative government; and when we established the protection of workers, it was also established by a Conservative government. So these idle threats about what is going to happen as a result of Bill 15 or any other actions that we take that simply are improving workplaces in this province—because ultimately what's going to happen is we're going to create jobs for everybody in this province.

Mr Bruce Crozier (Essex South): I was interested in the comments of the member for Simcoe Centre. I merely wanted to add to them, and the member for Mississauga South helps me put it in perspective because she mentioned the big picture.

During your comments, you mentioned that many businesses are closing their doors because of workers' compensation premiums and the cost that it adds to payroll. I think the big picture is that certainly that's one of the overhead costs, there's no question, but more often than not it's because the business doesn't have the revenues to support these costs and perhaps even on occasion it might be the management of the business that causes them to close.

To only say in instances where it's workers' compensation costs that cause their business to close I think is really painting the big picture. What we really need is an economic plan for the province. We've seen this government move very quickly on a number of fronts that they promised to do, but one of their promises was that we're going to create jobs and we're going to improve the economy.

This may be part of it, but I think there's a more important issue here that we should get at, creating the jobs and improving the economy and putting a plan before this Legislature to do that, a plan that covers the big picture.

Mr Tony Silipo (Dovercourt): I just want to comment briefly on the presentation or the speech made by the member for Simcoe Centre, as a member whom I've had the chance to talk with privately on a couple of occasions. I know him to be certainly a well-meaning individual and I don't think that any of us as we comment or debate these points question people's intentions. Besides the fact that this would be against the rules, I think it's also just common decency not to do that. But I have to say that in listening to his comments, I see very clearly and not surprisingly a recurring theme that comes out of this government, which my colleague from Cochrane South I think accurately pinpointed.

I believe the member for Simcoe Centre's opening comments were that the WCB is on the brink of crisis. Those were words almost identical to the words that came out of the minister's mouth when she introduced the legislation and when she began debate on second reading of this important piece of legislation.

That is the approach this government has taken on issue after issue in order to paint the situation in the starkest way possible, in the most negative way possible, and thereby to justify the draconian measures they are

taking to hurt the people of this province—in this case to hurt injured workers.

1120

I don't know well enough the riding of Simcoe Centre and what the honourable member deals with in terms of workers' compensation issues, but I could certainly tell him that in a riding like mine, and indeed I'm sure in many across the province—where I have, and I know many members have, injured workers as their constituents—there is a great deal of pain, there is a great deal of frustration with the board, there is a great deal of pain that comes from not just the injury that people have suffered but all they have suffered since that first injury in terms of trying to get the Workers' Compensation Board to adequately recognize the loss that they've had.

The Speaker: The member for Simcoe Centre has up to two minutes for a reply.

Mr Tascona: I'd just like to say that this isn't an attack on workers' benefits. This is basically the first step in the government's program to bring accountability and more effectiveness to the WCB. Yes, we're reforming board management and we're dealing with the fraud, and it is a reality that there is \$11.4 billion in unfunded liability. I think that is something that should concern all of us and I think that this government, by taking the steps it's taking at this first step, is laying the groundwork to set up an effective system.

We have to be cognizant of the fact that employers are paying the second-highest premiums in this country and we have to be cognizant of the fact that workers deserve to have a plan in effect when they are injured, so I will say this: The government program, which is a first step, is a progressive step; and the second step that we have to take will address the concerns of all the stakeholders in terms of the benefits and in terms of the premiums the employers pay. But we're talking here about a management structure that is in a financial crisis and needs direction from this government, and we're giving it.

The Speaker: Further debate.

Ms Annamarie Castrilli (Downsview): I'm pleased to have this opportunity to comment on the reforms on the Workers' Compensation Act and the Occupational Health and Safety Act. In doing so I wish to point out that Bill 15 leaves no doubt of the government's anti-worker agenda.

Just as Bill 7 eroded the rights of some of the weakest members of the workforce, just as Bill 8 obliterated even the notion of an even playing field in employment for the most disadvantaged in our society, so now Bill 15 seeks to promote an environment which penalizes those who have the temerity of being injured on the job. What we see once again is an attack on the hardworking people of Ontario. What we see once again is an approach that favours those who are in no need of protection. The government is so deeply concerned with creating the appearance of satisfying election promises in a timely manner that it has failed miserably in terms of substance. Ontario's employers and employees expected and deserve far more than this bill has to offer.

Bill 15 demonstrates again quite clearly how seriously out of touch this government's priorities are with the real

needs of Ontario. Minister Witmer announced that one of the main objectives of this first stage of WCB reform is the creation of a strong financial footing. Nevertheless, the minister has failed to ensure that Bill 15 adequately addresses even this very serious matter.

What we need is a government that is willing to take the initiative and implement innovative methods to create a much-improved Workers' Compensation Board that is committed to five key areas: financial stability, administrative efficiency, reduced fraud, fair adjudication and occupational health and safety. But what we see instead is an ideology that is hollow with rhetoric and that victimizes real people.

First the minister states that the unfunded liability currently facing the board jeopardizes, and I quote, "the long-term financial viability of the board and its ability to provide future benefits to injured workers." What the minister ignores is that the unfunded liability is actually money owed to injured workers by employers as a result of workplace accidents. I would remind the minister that workers' compensation legislation was introduced to bring about labour peace. Employees gave up the right to sue their employers for work-related accidents in exchange for payment by employers into a plan that rehabilitates and compensates injured workers as necessary. Employers and employees alike chose to avoid costly litigation and instead channelled the savings into constructive uses.

The real question for us now is not how to avoid our responsibilities to those who have already paid a high price for their injuries but rather, how do we keep costs down without victimizing those who have already given so much to society?

It seems odd, then, that the government has given no indication of any real solutions. In fact, it appears that the government has chosen to postpone at least until next year any meaningful discussion of alternatives. The strong financial footing the minister has promised will certainly not develop from Bill 15. I would like to remind the House how quickly the government moved to reduce social assistance to the most needy sector of society in the name of fiscal responsibility and how it now fails to act quickly in this matter.

Second, the government must take steps to address, in a useful fashion, the WCB's administrative deficiencies. In unveiling this bill, Minister Witmer stated that the board's service delivery needs improvement, particularly in terms of the excessive delays through the injured workers' claims process. I am in total agreement that there is urgent need for immediate reforms that will further streamline the claims management systems. This process is the most important function of the board. On its efficiency depend hundreds of thousands of injured workers and their families, yet the minister paid mere lip-service to reform and decided that less significant changes should receive a higher priority.

Third, fraudulent use of the workers' compensation benefits is another serious concern. Ontarians are a fair people. Our hardworking men and women do their best every day to earn a living for themselves and their families. They would not deny assistance for those in

need, but they resent those who abuse our existing safety nets. Yet rather than implement substantive, proactive improvements that will attack the very root of any existing fraud, and rather than work towards curtailing existing fraud, the government has decided simply to increase the penalties for such abuse. Let me suggest that this is simply not enough and that more attention must be paid to joint WCB and private sector investigative methods that seek out fraudulent use of the plan.

Fourth, there is a need to ensure that fair adjudication of claims remains the primary *raison d'être* of the board. One wonders whether this will continue to be the case. Bill 15 sets out a statutory requirement that the WCB conduct value-for-money audits on an annual basis. These audits are to be undertaken by an external auditor. I will not question the need for such a requirement. It is certainly desirable to conduct annual audits. But why not expand this requirement to include an effectiveness audit as well?

Such an audit, as described by the Canadian Comprehensive Auditing Foundation, would include, for instance: a review of whether the organization is meeting its mandate; the extent to which goals and objectives have been realized; whether the organization has appropriate and effective performance measures; whether the data used in evaluating performance are reliable and accurate; the extent to which the organization has the ability to adapt to change; and most importantly, how well stakeholders, such as workers and employers, think the organization is working.

Any audit undertaken must not forget the purpose for which the board was created: to deal effectively with human suffering and to return the rehabilitated worker to productive service. An effect of this audit would help ensure that this is the case and that the human element of workers' compensation is not ignored.

The final issue I would like to discuss today is that of occupational health and safety. I submit to you that this is a key area for consideration when seeking meaningful and successful change of the workers' compensation system. Bill 15 unfortunately misses the point.

1130

What Bill 15 proposes to do is amend the Occupational Health and Safety Act retroactively to August 23, 1995. It will revoke the order-in-council appointment of the board of directors of the Workplace Health and Safety Agency and will instead appoint an executive director to administer that agency. This move may on the surface appear merely an administrative change. It is in fact much more than that. Eliminating the board of directors means that there will be no representatives of both employer and employee groups to speak and give direction on matters of occupational health and safety. It means that there will be no public input in this critical area. An executive director, no matter how well-intentioned or qualified, will not have the benefit of the advice of those who are experienced in the field. He or she will be directed solely by government dictates and that means, with this government, that the only consideration will be financial.

The experience of employees in the representatives will not be at the table. The experience of employers such as Inco and the Body Shop, who have an excellent reputation in the field of occupational health and safety, will not be there. This is very worrisome indeed.

Let me suggest to the government that there are ways to deal with workers' compensation to make it effective and less costly. This begins with an understanding of the true purpose of workers' compensation legislation, which I've outlined previously. It means not ignoring the fact that people are hurt every day. In 1994 fully 370,444 Ontario workers were hurt on the job. This isn't just a statistic; it represents real people, real suffering, real social and economic consequences for themselves and for their families. It also means that focus must be placed on effective controls, aided by effective audits, while ensuring that abuses are rooted out. It means as well centring attention on issues ignored by this bill. Let me touch on some of these issues.

There must be strong occupational health and safety legislation. It must, for instance, take into account new workplace illnesses and diseases and seek to prevent them through education and training. There must be a partnership with employers to assure the constant upgrading of the workforce. Penalties for negligence of both employers and employees must be swift and severe. There must be no room for creating negligent situations, and maximizing profits must never be a defence.

There must as well be real emphasis on rehabilitation. The 1992 report of The Chairman's Task Force on Service Delivery and Vocational Rehabilitation described vocational rehabilitation as: "The heart of a successful workers' compensation system, and is a vital element to the system's economic viability. Successful medical and vocational rehabilitation of injured workers and early return to meaningful employment will result in a cost saving for the system through reduced duration of claims."

The WCB's own strategic planning report, entitled *Planning for the Future: Strategic Plan 1994*, noted that both the task force report and the standing committee on resources development's report on service delivery at the WCB concluded that the WCB's programs are seriously flawed. It explained that of pre-Bill 162 cases—which requires most employers to re-employ workers following full or partial recovery from their injuries—40% of injured workers with permanent disabilities were not employed. The report concludes that this is clear evidence of vocational rehabilitation's weaknesses.

The current workers' compensation system is one that attempts to deliver services to people who have given their bodies to perform society's work and have become casualties, both of workplace accidents and of clumsy, cumbersome and costly bureaucracy. It is clear that the system is not working.

The solution, however, lies not in blaming injured workers and penalizing them, but in looking seriously at effective solutions: strong health and safety legislation, education, meaningful enforcement and rehabilitation. This will make the system better and this will undoubtedly make it less costly as accidents are avoided and people are returned to work more quickly. Bill 15 addresses

none of these issues. The minister has stated that the government is "moving ahead carefully and deliberately," but that should not mean ignoring the real priorities in an effort to win political points and buy additional time.

Minister Witmer stated that "despite the mounting crisis, little has been done in our province to tackle the problems." I suggest to this government that the crisis continues for the WCB and Bill 15 offers little hope for a reversal.

Mr Bisson: In regard to our friend who just got up and gave comment on the workers' compensation, I just want to pick up on the one point she made to say that I agree partly with what she's saying.

However, I did have difficulty, in our time in government here and the lack of support that we got, in moving away from a multi-stakeholder agency such as what we're moving to under Bill 15. I wish that her colleagues would have been a little bit more progressive on the issue. But anyway, none the less you're here and that's fine.

Mr Crozier: I got that shot.

Mr Bisson: You like that, eh? Anyway, the point is that people need to understand that what's happening here under Bill 15 is that we're moving back to a system we've had in this province before, where the Workers' Compensation Board, in its structure in regard to its membership, will be handpicked by the government based on what the government decision of the day might be in regard to the direction they want to take on the board. We call that, in technical terms, a multi-stakeholder agency, but what you really end up with is a board that reflects only one point of view in regard to how the Workers' Compensation Board should operate and how to be able to approach solutions in the board.

What that really does, and what we've learned over a period of a number years at the workers' compensation, is once you have that system where the employer has an upper hand at the board, you're really setting up a system of confrontation where workers have no other choice, and injured workers particularly through their agencies, to be able to be more confrontational in order to address the issues that are important to injured workers, and quite frankly, that system has not served us well. In fact, it is what gave us the problem with the unfunded liability over a period of time.

What we had done under the changes to the Workers' Compensation Act when we, the New Democrats, were in government was to move to a system where there was a fair balance between employers and injured workers through the organizations so that they together are able to find the solutions, and in fact had done so. Under this system we had for the first time, in many years in this province, the Workers' Compensation Board report an actual surplus in their budget last year and reduce the unfunded liability to what it was the year before.

Mr John Hastings (Etobicoke-Rexdale): I listened to the comments from the member for Downsview with some interest regarding whether in fact she has really looked at the bill and some of its clauses. I'm actually quite surprised that she came to the conclusion that overall this bill is going to do hardly anything except

attack injured workers. I don't see anything in any clause that would do that.

I'm quite surprised also that she still seems to want to persist in using cliché thinking to deal with the item. For example, she talks about innovative solutions. I don't see anything innovative about her particular solution about having financial stability. Of course we want financial stability. That's why we're going to try to change the composition of the board of directors, so we can get there.

She says that there won't be any effectiveness audits because the actual word isn't in there, but in fact if you read the clause we're dealing with, the board can, as a whole each year, designate specific programs to test them for how effective they are, how efficient they are or inefficient.

In terms of dealing with financial stability, I'm quite surprised she came to the conclusion that nothing could occur there. I didn't hear anything from her as to how she specifically wants to get a handle on the \$11.4 billion, when I suspect—I hope I'm wrong—that it's going to be a financial black hole. I think it's probably going to be much, much higher and that many more changes will be required, as she did allude to, in substantial proposals that will be made in the spring session.

1140

Be it as it may, I think this particular bill is simply a first stage to getting a handle on the major crisis created by the other two—

The Deputy Speaker (Mr Bert Johnson): The member's time has expired. The Chair recognizes the member for Essex South.

Mr Crozier: Thank you, Mr Speaker, and I'll certainly make my comments within my given two minutes. I won't rattle on.

Far be it from me to defend my colleague from Downsview, because she's quite capable of doing that herself, but one thing I do want to point out—and the colleague across said he was listening. I have found, in the short period of time that the member for Downsview has been in this House, that she looks at legislation and she comments on legislation with what I think is a reasoned and well-thought-out plan. There may be differences with the way we look at it, but to simply say she hasn't read the act and that her comments aren't relevant I hardly think is fair, because she did make some comments with regard to workplace safety.

I just want to point out from my own experience that I was the chief financial officer and a shareholder in a retail lumber business for some 22 years. As a matter of fact, it was during that period of the very severe 1982 recession where we had to manage our overhead costs, one of which certainly was the workers' compensation costs. We were committed to workplace safety, and I think that's one place that not only should the government's legislation emphasize, but that all of us should be interested in: working at the root cause, and that is avoiding accidents. My colleague certainly addressed that part of the issue very admirably.

Mr Bud Wildman (Algoma): I wanted to rise to make a couple of comments with regard to the remarks

of my colleague from Downsview, and I must say that I am in complete agreement with the last comment from my friend from Essex South. Frankly, the way that we deal with the serious costs of workers' compensation for the business sector in this province is by lowering the number of accidents, and that's what the agency was for. That's why the agency was set up, a bipartite agency to work together, employers and workers, to lower the number of accidents, to educate worker representatives and employer representatives in ways that they could work to lower the incidence of accidents and injuries in the workplace. That is what our aim should be.

It seems to me that this government, which has no institutional memory, can't seem to remember that there was a Conservative government in this province at one time, a Conservative government that had to grapple with the problems of workers' compensation, just as all other governments have had to do, and which faced a very serious increase in the unfunded liability.

Instead, this government would like to pretend that the problems at the compensation board only began in the last 10 years, without recognizing that this has been an ongoing problem for governments, employers and workers ever since, frankly, the WCB was established in 1915. What was changing in the last five years was an attempt to bring workers and employers together to deal with the issue of safety in the workplace so that we could bring down the number of accidents and thus the cost of workers' compensation in this province.

I commend my colleague from Downsview for a thoughtful presentation. It's unfortunate that the people on the other side didn't listen to what she had to say.

Ms Castrilli: Let me respond firstly to my colleague from Etobicoke-Rexdale. It really is unfortunate that he wasn't paying attention to what I was saying. I often get the sense that when he speaks, he's so entrenched in a particular line of thought that he's not open to the debate at hand.

I thought we had agreement that financial stability of workers' compensation is a goal—it's a desirable goal. The problem is that Bill 15 doesn't address it, despite the minister's stated intention. That's clear, and I would defy the member for Etobicoke-Rexdale to point anywhere in the bill where there is any suggestion of how we're going to attack the unfunded liability of which he so fondly speaks. Even the minister herself has acknowledged that there is an existing plan, which this government didn't put in place, which is to resolve this unfunded liability.

As for the suggestion that there are no innovative solutions, I thought, again, I was very clear and as has been demonstrated here before, there are some creative solutions. We just have to be able to work with them, don't we?

The issue is how to prevent accidents, how to prevent those almost 400,000 accidents that occur every year in Ontario. That's the real issue. That's how you get at it. You don't get at it by tinkering with the incidentals of workers' compensation. You get at the root of the problem, and that this legislation does not do.

As for my suggestion with respect to effectiveness audits, mine was simply a suggestion. You seem to believe, sir, that the value-for-money audits would include an effectiveness audit. I hope that's the case. In any event, I think it is extremely important that we also focus that when you're talking about WCB you're not just talking about money, you're also talking about people.

The Deputy Speaker: Further debate?

Ms Martel: I am pleased to participate in the debate, and I suspect members will understand that in the riding that I represent and the area that I come from, workers' compensation issues are very important. Between the people who work at both Inco and Falconbridge and all their operations, between people who work at CN and CP, between people who work in the forestry industry, compensation issues are very important.

We have a number of people who have been injured in the past, people who continue to be injured. In my own office, for example, I have one full-time staff person who does nothing but workers' compensation claims. So I have an interest in what is happening at the board and in the proposals the ministry is putting forward. I'm interested as well in some positive change.

But I have to tell you that Bill 15 does none of that, and as a matter of fact is probably not worth the paper that it's written on. I don't understand why we're here today tinkering with the compensation system in the way that we are with this bill when we should have been here talking about some progressive, meaningful change we can bring to the system that will help injured workers instead of attacking them, as this government is so wont to do with its labour legislation.

Obviously, the members of the Tory party have got a stock speech that they were faxed out from the Ministry of Labour which says, "Get in there and tell people how bad the unfunded liability is, tell people how awful the situation is for injured workers and how this bill is going to fix all that."

If the lemmings on the other side had read the bill, they would have understood that the bill does nothing like that. All it does, at the end of the day, is retroactively give the Minister of Labour the permission that she needed to axe the labour members and the other members from the board. Those folks got a pink slip. They got a pink slip when in fact the legislation was still in place that there was supposed to be a bipartite board.

All that this bill does is now give her the permission she should have had in the first place to say to those people: "We don't want your input, we don't like your input. There's not room for organized labour at the WCB. There's not room for organized labour at the health and safety agency. We don't want to hear what working people have to say. We want the long arm of the Tory government to be able to go into the WCB again and appoint Tory political hacks to the board, to continue to run an operation that we got rid of, that same kind of operation, in 1985."

That's all this bill does. It allows the Minister of Labour and the Premier and the Tory party to find yet another place, another body to put more political hacks

on to. That's really unfortunate, because now more than ever we need some positive change at the WCB, and that's exactly what the bipartite board was in the process of doing.

I heard the minister say very clearly that we wait for the rest of the reform package from the other two-headed Minister of Labour, Cam Jackson, who was here yesterday; he isn't here today. Anyway, he's going to bring in some reform in April. We know that at that point—

Mrs Marland: On a point of order, Mr Speaker: This member has been in this House long enough to know the House rules. The unwritten etiquette is that you do not comment on the presence or absence of another member. I would ask that member to observe that rule when speaking about the member for Burlington South.

1150

The Deputy Speaker: Your point of order is well taken. I will ask the speaker to go by that rule.

Ms Martel: Mr Speaker, as I look around in the House, I see neither the Minister of Labour nor the minister responsible for workers' compensation nor the parliamentary assistant for Labour. Who is here carrying this bill?

The Deputy Speaker: Excuse me. I was wondering if the member would observe those laid-out traditions and long-standing policies.

Ms Martel: Absolutely, Mr Speaker. It's unfortunate that they all aren't here, all three of them.

Mr Wildman: Who is carrying the bill, Mr Speaker? The parliamentary assistant and the minister are not here.

Ms Martel: They are supposed to be here, but that's all right.

If I might, I want to say that the real reforms, and I use the term loosely, that are to deal with the system are coming, we understand, some time in the spring. That is when this government will really put the boots to injured workers. Then you will see how this government attacks injured workers by reducing the benefits that they are to receive, by implementing a three-day waiting period for benefits that should accrue to injured workers, by barring stress claims and by also restricting entitlement in a number of other areas that injured workers are entitled to.

We await all of that with interest, because I have no doubt that the attack on injured workers and the attack on working people that this government has started will continue and will be very evident in this piece of legislation too.

With respect, there are some things that the Minister of Labour said that I think are worth repeating and, frankly, are worth clarifying or correcting. Because in some way, shape or form, by some omissions that I'm sure she didn't purposely plan to make, she certainly left the impression in the minds of the public that there is something dramatically wrong with the unfunded liability that the Tories, when they were in government in 1985, had nothing to do with, and that in fact we're going to be far better off when we return to the 1985 system where we had a multi-stakeholder board instead of the bipartite

board that we had put in place. So I want to correct some of the things she said and perhaps add some information that I know she just forgot to mention when she spoke.

First of all, let me talk to you about the unfunded liability itself. The minister was very clear in saying:

"The government is moving ahead carefully and deliberately to fix the problems facing the board. We do not want to repeat the mistakes that were made by past governments.... The board's staggering unfunded liability is presently at \$11.4 billion. In 1984 it was at \$2.7 billion."

Now, Mr Speaker, if you were listening out there, and I'm sure a number of people would, they would say: "My God, what's happened in the last 10 years? What happened when the Tories were thrown out of office in 1985 and the Liberals and then the New Democrats were allowed to run things at the WCB?"

I'm sure it was just an omission on the part of the minister that she forgot to mention what actually did happen in 1985 with the unfunded liability at the board. The fact is—the fact that the minister forgot to mention, of course—that the unfunded liability was \$2.4 billion in 1984, but legislation that the Tories put in at the end of their regime pushed that unfunded liability up to \$5.4 billion in a single year, \$5.4 billion by the time the Tories were finally thrown out of office. In a single year, a \$3-billion increase. That was the highest increase in a single year from 1985 till now.

Now, I wonder why the minister forgot to mention that, and I wonder why the parliamentary assistant from Nepean, when he was responding to comments by one of my colleagues, forgot to mention that too and had to be reminded of that very fact by my colleague the member for Rainy River. I think it's most unfortunate that the minister and the parliamentary assistant forgot to mention that, because if they did, the public out there who are watching would clearly understand that the real problem we had came as a result of the multi-stakeholder group that was at the board, and the single biggest increase in the unfunded liability came under a Tory government in 1985. I think it's shameful that she forgot to mention it.

Let me talk about funding ratios as well, because this was another important point that the Minister of Labour forgot to mention. She said, with respect to funding ratios:

"To understand the full magnitude of the problem that we have, let us examine the funding ratios of workers' compensation systems across Canada. Funding ratios are the ratios of total assets to total liabilities. In other words, they are the total assets that you have today versus what you would have to pay if...your liabilities became due today. In the WCB's case, these liabilities include pensions and future economic loss payments for injured workers. In Ontario, in 1994, the funding ratio was 37.4%," and she went on and compared it to some other provinces. "That means that if the board had to pay out all of its obligations today, it would only be able to provide 37.4 cents for each dollar it owed injured workers." In Saskatchewan it's 113%; in British Columbia, 95.8%.

If I was someone out there watching this on TV, I would say: "How shameful. Isn't that terrible that Ontario

is in such an awful position? How did that happen under the 10 lost years that the Tories are talking about? It must have happened under the 10 lost years between the Liberals and New Democrats."

So I thought to myself I should go back and compare Ontario's statistics, 1995, perhaps with 1985 in Ontario. Mr Speaker, would you like to know what I found when I did that?

Mr Bisson: I do. I do.

Ms Martel: Let me tell the members of my caucus and let me tell you, Mr Speaker, what I found. The fact of the matter is, in 1985, the funding ratio in Ontario, in Tory Ontario, was 31.8%; in 1995, 37%. As a matter of fact, in 1985, we were in a worse position in this province in terms of ratios and assets and liabilities than we are now.

I have to ask myself, why did the Minister of Labour neglect to tell us that? How did she forget? I'm sure she has very competent, very talented speechwriters over at the Ministry of Labour. I'm sure her political staff would have checked her speech before she got in here to give it. So I have to ask myself, how did she neglect to mention to the House and to the public that very important point?

The fact of the matter is, under the Tory regime, when there was a multi-stakeholder group, when you had a bunch of Tory hacks on the board, the situation in terms of ratios, assets and liabilities was worse. Now the Tories are returning to that very same position, which suggests to me that we are going backwards and not forward.

The minister said a few other things and I think she neglected to mention a few other things that I want to raise here today.

She tried to have the House believe, of course, that one of the major problems we are dealing with is the appeals process and the long time it takes for injured workers to get any response to their cases. That is true. Everyone recognizes this. Everyone who does compensation, like we do in our office, and I'm sure for many other members, there is a problem in terms of cases being heard. But she also tried to suggest that somehow this bill was going to fix that problem.

This bill doesn't speak to the problem of appeals or complex cases at the WCB. As I say, all it does in effect is give her the permission that she needed in the first place to take those worker representatives off the board. The fact of the matter is, if the minister took a look at the compensation system today, you don't need legislation in this House to actually change the appeals system. The only time the House has dealt with a matter like that was in 1984-85, when a third level of appeal called the WCAT was instituted, and that was because it was an independent agency outside of the board.

The board, at any point in time, can change its appeal process. As a matter of fact, if the minister had had her speechwriters check this, or maybe her parliamentary assistant who has joined us—thank you for coming—they would have found that the board has moved in the last year to change the appeal process to deal with complex cases, to try to get at the very heart of the matter that the

minister tried to use as the excuse for changing this legislation.

The fact is that under our government the board did change and put in a mediation process for rehabilitation and re-employment issues. That was done early this spring. As a matter of fact the board, beginning October 2, also moved to a new appeals process for claims issues.

As a matter of fact, despite what she said in her comments here about how we need this legislation so we can deal with complex cases, so we can deal with appeals and make them easier and streamline it, that has nothing to do with what this bill is all about, and it has nothing to do with the reality of the board today, because the board is one step ahead of the minister. They are 10 steps ahead of the minister. They already have the change process in place.

I don't know why she added that bit of information gratuitously. In any event, it's irrelevant. It has nothing to do with the bill and certainly nothing to do with the reality at the board. I find it strange that she added some stuff that really meant nothing at all in terms of the bill and left out some stuff frankly that was very important bits of information that the public should have had if they were to understand fully this debate.

A couple of other things I want to deal with: I want to talk about the bipartite board, because that's really at the heart of this bill.

1200

Mr Bisson: I think you should be the Minister of Labour. You seem to know your stuff.

Ms Martel: Oh, well. And I don't even have a speechwriter.

Let me tell you what the minister said about the bipartite board:

"Unfortunately, the bipartite, labour-versus-management approach has paralysed constructive decision-making on very crucial administrative, policy and financial issues facing the board....

"Unfortunately, the bipartite board was also ineffective in dealing with very crucial policy issues, such as those concerning work-related stress and entitlement, even when legislative requirements demanded action."

If the minister really wanted to tell the public all of the information, she would admit that her government is not going to allow stress claims. Don't blame that problem on the bipartite board, because we know in the spring of 1996, when the minister responsible for workers' compensation brings his so-called reform forward, he will no doubt say that there will be no entitlement to stress.

But what really bothers me is the impression the minister leaves in the minds of the public out there that somehow this board had been working for such a long time, they were at an impasse, they couldn't work well together, that there was such an impasse that something had to be done.

How come she didn't tell the public in this province and the members of this House that that board was only put in place in April of this year? Why did she neglect to point out that very important fact to the people who are

out there watching, and to you, Mr Speaker? Because I think it was ridiculous, frankly, of her to suggest that in the short time the board has been in place there has been such a problem and such an impasse that she had to come in and throw them all out so she can put her Tory hacks on to that board. I think it was a very unfair characterization of the members of that board, five from labour, five from business, who were doing very important and very good work and who had the interests of the compensation system at heart.

I think the problem is that the minister doesn't like the kind of approach we took, which was to say to organized labour, "You appoint five reps," which was to say to business, "You appoint five reps. The government will keep its long arm out of your business and will allow you to put the nominees forward." They were in the process, as a matter of fact, of actually nominating their own chair. The minister would rather have the Tory government, her government and the Premier, go in and handpick, hand select Tory hacks to put back on the board so that we're back in the position we were in 10 years ago.

That's really regrettable, but it does remind me, very clearly, of where the government is coming from, because for those of us who were there before, I remember this government, when they were over here and we were over there, and I remember the attitude they took to working people and organized labour.

In places like Kapuskasing, at Spruce Falls, in places like Algoma Steel in Sault Ste Marie, in places like Provincial Papers in Thunder Bay, where organized labour worked with the government and worked with management to save those plants and save those communities, this government, at the time that party, was not in accord at all with what we were doing. I remember Tom Long, who was a strategist for this party during the election, say that if it had been up to this government to deal with Algoma, they would've let it go down the toilet. They would've let 3,000, 4,000 and 5,000 people in Sault Ste Marie lose their jobs and watch that community go down the drain.

As a matter of fact, Mr Speaker, you weren't here so I'll just give you this bit of information. When we were in government and when we brought forward our worker ownership legislation to allow people to have an investment and to have a say in their workplace, the Tories who were sitting on this side of the House at the time voted against that legislation.

Mr Bisson: Why?

Ms Martel: Because they don't want workers to have input in the workplace. They don't want workers to have a say in health and safety. They don't want workers to have a say in important issues like workers' compensation. They don't think workers in this province have any role or any right to have a say in the economic future of this province, and that's shameful. It's the same kind of approach we saw from the Tories when they were in opposition between 1990 and 1995 that's manifesting itself now in this bill, certainly with respect to throwing the worker representatives off that board.

I think it is shameful. I think it is ridiculous that this government cannot or refuses to or somehow holds in disdain the contribution that working people and organized labour can make, not only in their workplaces but in the health and safety agency and in the workers' compensation system.

So I shouldn't be surprised that the position we find ourselves in today is a position where the Minister of Labour and this government say: "There is no role for workers. We don't want to have them have their say. We don't want them to participate. We want the long arm of the Tory party again to be able to handpick Tory hacks to sit on that board so they do what we want them to do, so they say what we want them to say and so they run the affairs the way we want those affairs to be run." That's not the way we should be dealing with workers' compensation reform in this province.

Let me also talk a little bit about the value-for-money audit and the fraud, because I have heard a number of members, in the stock speech that was supplied to them by the Ministry of Labour, say that this legislation allows for value-for-money audits and allows the board to get at the issue of fraud. Please. You know, the minister ought to go back and find out how the board operates, because the fact of the matter is that for a long time the board has been doing value-for-money audits and as a matter of fact for a long time the board has been able to deal with fraud issues. When a worker has been involved in a fraud case, the Workers' Compensation Board now has the right to deduct ongoing payments from that injured worker in order to recoup and refund that money.

I say again that what is going on, what the minister has talked about in her little document here, in her speech, is in fact what is already going on at the Workers' Compensation Board. All you have throughout the whole document, throughout the whole bill, is some window dressing to try and get around the real fact that what the government is really trying to do is just get rid of the bipartite board. They've got to do it now instead of waiting until the major reforms that the minister for workers' compensation will bring in, because they are already in contravention of their own law, the law we put in place that said the board would be bipartite.

I remain really concerned about where this government is heading with respect to workers' compensation. We have a bill before us where, although it has been trumped up as one which will address a number of concerns that both injured workers and their reps have, that employers have etc, the fact of the matter is the bill does nothing of the sort. All it does at the end of the day is change the composition and allow for Tory appointees to be put back on the board in a manner we ended when we were in government.

Laughter.

Ms Martel: Absolutely. The members are laughing. They know very well that under this particular bill labour selected five representatives, the business community selected five representatives and those were the people who were the members of the board. I know the members don't like to hear that because they like the process where they get to pick everyone and where people who

fund-raise for them and people who are defeated Tory candidates who are looking for some kind of home and some kind of job in Ontario can go.

It's not as if we haven't already been in the process of trying to find jobs for all the Mulroney folks who got thrown out of Ottawa who are coming to Ontario now looking for jobs. Our party, in the last number of weeks, has raised those cases again and again. Now we have yet one more board where we can have more Mulroney hacks come and work in Ontario and have the public of Ontario pay for that.

It's really shameful that that's the situation we're moving back to after 10 years. It's a regressive step and I don't believe for one moment that it's going to do anything to help the plight of injured workers, do anything to deal with the unfunded liability or do anything to deal with the very serious concerns that injured workers and others have with respect to the system in place in this province.

In conclusion, it is true that Bill 15 doesn't encompass all of the regressive changes that we know are coming in the spring, but what it does do is probably be the first boot to drop and the second big boot to workers will come in April. It really just follows on the kind of pattern that has been put in place by this government, a pattern which says very clearly: There is no role for injured workers in this province; there is no role for workers; there is no role for organized labour. Workers don't have a right to talk to us about health and safety issues. They don't have a right to make a contribution.

Time after time, on legislation dealing with labour matters in this province, we have seen that kind of attitude manifested, whether it's the health and safety agency, where the bipartite board was taken out; whether it's pay equity, where women had the payments capped they should have received for the work they do that is of equal value to men; whether it is with the wage protection fund, where people who had worked already and who had money owed to them will now not see that money in the way they would have under our bill; whether it's with the very regressive changes we saw under Bill 7.

This government is interested in one thing, and only one thing, and that is to attack injured workers, to attack workers in this province and to attack organized labour. I think that's regrettable, because that means for the next five years we're not going to be going forward in this province; we're going to be going backwards.

1210

The Deputy Speaker: Questions and comments?

Mrs Marland: I never thought I would hear anything as hilarious as the comments by the member for Sudbury East, who just said: "The second big boot to drop on labour in this province will be next April." That is the end of the social contract. I thought the biggest boot ever to drop on workers in this province was when you passed the social contract three years ago and all of us voted against it.

I would like to remind the member for Sudbury East that we did vote against the social contract, and the

reason, probably the single biggest reason you're sitting over there now and not over here as government, is because your own labour voted against you because of the social contract.

I would like to remind the member for Sudbury East that the masterful appointments by her party in government as far as political hacks—it's the book on it. There were many of them and I watched all of them because I chaired the committee that approved all the political appointments.

The best one was Mr Gord Wilson. I think if there's one name in this province that absolutely everybody knows, it's Gord Wilson. Gord Wilson was appointed to the Ontario International Trade Corp. When the member for Sudbury East says they appoint people who are looking for some kind of a job, I hardly think that Gord Wilson needed "some kind of a job," and he had the unmitigated gall to ignore the process which was, if the committee selected him to come for an interview about his appointment, he was to come for that interview. He had so much gall that he ignored the process and refused to come before the committee for an interview on his appointment. Further, David Agnew, the secretary of cabinet, the first time that position, the top bureaucratic position in this province, has ever been politicized was done by that government.

Mr Gerry Phillips (Scarborough-Agincourt): I want to respond to the member's comments. I appreciated her raising the issue of the unfunded liability in 1985. I think one of the great myths is that the Conservatives actually know how to manage finances, and frankly nothing could be further from the truth.

I think you're going to find that Mr Harris and Mr Eves, as you look back on their last record—the member indicated one and that is the unfunded liability. The last time they were in government they were custodians of a record of 15 straight years of deficits. The last Conservative government never balanced the budget for 15 straight years. As a matter of fact, the last five years the Conservatives were in government they took taxes up every year, six taxes every year, 30 taxes in the last five years of their record. The average deficit was \$2.7 billion; every year \$2.7 billion when they were last in charge of the finances.

It was this government that bought Suncor and cost the taxpayers of Ontario hundreds of millions of dollars. It was this government, when they were last in office, that started Darlington, that really I think most people would now say is the root of Hydro's problems.

Mr John R. Baird (Nepean): Thirty-three tax increases.

Mr Phillips: Well, he says 33 tax increases. The Conservatives took taxes up more than any other government and the record will prove that.

I just wanted to go over that because we now have a new government here and the people of Ontario I think will begin to realize that a government that says it is going to cut \$5 billion out of tax revenue is going to create a fiscal nightmare for the province. We have only got to look back at the last time they had their hands on

the cash register and they ran 15 straight years of massive deficits.

Mr Bisson: I'd like to comment on the speech by the member for Sudbury East. I just want to say that as always in this House, the member demonstrates her ability in understanding issues thoroughly and coming to this House prepared in order to be able to let the people know exactly what's going on. It was most interesting. A couple of figures to repeat are what she was talking about, that a big problem of what we have in regard to the unfunded liability of the board, the Conservative members need to understand, was caused because of the changes the government made back in 1984 to the Workers' Compensation Act which resulted in the unfunded liability of the board increasing.

The member for Sudbury East is bang on that the members are coming in here now, the Tories, saying, "Oh, we've got to do this big change because the bad old Liberals and the bad old New Democrats caused the problem." In fact, the problem was etched in stone a long time ago. It was the Tory government. In 1984 when they introduced that legislation, basically what it did was change the ratio between the amount of money the board was collecting to the amount of money they were paying out in benefits. That's a big part of the problem. She points out correctly that the unfunded liability increased—the single largest amount was in that period of 1984 and 1985—by \$3 billion.

The other point she points out which is really a good point—I had forgotten it—is the funding ratio. That's the amount of money the board has to be able to pay out all its claims should all those claims come due. It actually was in a worse case back in 1984 and 1985 because of the changes the government had done at the time. It actually has got better over the years.

On the last point in regard to the change in the composition of the board, the member is right. I think the Tories need to understand what bipartite is and what a bipartite board does. It means to say your friends in business have an opportunity under our system to appoint their five people to the board who they feel will best represent their views in regard to workers' compensation, the same way as do the unions, and together they work at trying to solve the problems, not through fighting, but through cooperation. What you're doing is going to polarize the board. It'll end up costing us in the longer term.

Mr Baird: I think it's important to put some facts on the record here. In 1985 the funding ratio was 31.8%. This exercise is not about laying blame. This problem was caused by all parties and this government was elected to clean up that mess. But for the nerve of this government—from 31.8%, and I'll give some credit to the Liberals, it went up to 40%, which was some positive measure. Oh, but then it went down again when the NDP came in. In five years it went down a full 3.5%. So I think it's important to put that on the record, that this is not a manufactured crisis.

I hear my friends in the official opposition talk about this bill, and I read the red book. It says they wanted to "freeze WCB rates." Done it. They said they wanted to "change the makeup of the WCB board of directors." Done it. They said we should "improve the administration

of the WCB by hiring a chief executive officer...." Doing it. It says "cut down on fraud by creating an investigative and internal audit department." Done it. "Put the WCB on a sound financial footing by eliminating overpayments to injured workers." Done it in the bill. It says—this is the one I like the most—"disband the Workplace Health and Safety Agency and put it under the WCB." That's the one I like. I must admit it takes nerve.

This bill is about putting the WCB on a sound financial footing. It's not about laying blame. There are problems in the WCB. This government doesn't tinker; it takes real action on this. This legislation will be the first step to put the WCB on a sound financial footing, to meet the challenges of the next century and to make real change, not to simply tinker with change.

Ms Martel: I have to respond. Let me say to the member for Nepean and the member from Mississauga that the reason I raised the ratio was of course because the minister has selective amnesia when it comes to raising the facts about what we are dealing with. The reason I pointed out the ratio is because nowhere in her statement did she refer to what the ratio was when your government was in power in 1985. I thought that was important to do, because the fact of the matter is we're in a better position now than we were in 1985 and she should have told people that.

The member for Mississauga South is developing the same disease that the minister has, which is selective amnesia. Let me remind her about a couple of things. She came in and said her government voted against the social contract. She didn't say why. That was because when she was over here, Mike Harris stood up on the day we started to deal with it and said: "Lay off more people, more people. Bring in the bill. Lay off thousands more." The problem for the Tories was it didn't lay off enough people, and that's why their government voted against the bill. We tried to bring in place a bill that would keep people working. Yes, it would mean that they had to give up something, but it kept them working. Under this government, you're not going to see that happen. There have already been massive layoffs in the public service, and there are more to come.

1220

Let me also ask the member if the name Ed Stewart rings a bell, because members of this House should know that Ed Stewart was a political adviser to Bill Davis. Mr Ed Stewart became the secretary of cabinet under the Davis regime. It was a political appointment, done by Bill Davis. He handpicked Mr Stewart, who had been one of his advisers, one of his election strategists, one of his campaign managers, and put him in place as the secretary of cabinet. So I have to remind the member for Mississauga South about that one Mr Ed Stewart.

Finally, with respect to political appointments, no one is doing it better than the government that's in place right now. You have four at the SARB, three of them defeated Tory hacks—Tory candidates—one at the Ontario Casino Corp, one at the Environmental Assessment Board and a whole host in everyone else's ministries. All the Mulroney people are coming to work here. Will we have enough money to pay them all? I don't know.

The Deputy Speaker: The member's time has expired. The Chair recognizes the member for Brampton North.

Mr Joseph Spina (Brampton North): I stand today to share with my colleagues here in the House the need for WCB reforms in Bill 15. As the parliamentary assistant for small business, I can tell this House that enormous and often unnecessarily high WCB premiums is yet another factor that is strangling small business in Ontario. It's also another factor which the previous government failed to get under control, much like the province's debt.

In conjunction with high taxes, endless red tape and regulations, Bill 40, extravagant WCB premiums put the small business sector, frankly, out of business. The WCB's unfunded liability has gone out of control. The \$11.4-billion liability threatens the board's financial stability and its ability to honour future claims of those needy workers. Our government will eliminate the \$11.4-billion enigma and put the WCB on a sound financial foundation, much like we are doing with the inherited debt.

Potential investors have been scared away by, among other things, a group of people within WCB that felt the continuous need to waste away working people's hard-earned dollars. The WCB was presented with reforms not long ago that would have decreased its unfunded liability by \$400 million. The decision not to pursue this course baffles me. It is a clear indication of the poor leadership and mismanagement of those WCB executives.

The coup de grâce demonstrating the lack of leadership and mismanagement is that Taj Mahal building that the WCB calls home. That WCB office tower was built at a time when premium office rental space was available at substantial discounts. Construction of that building is a monument to the failure of the former governments to keep the WCB under control. The move and the construction of the new office was approved by the board itself, without cabinet approval. The WCB executives said cabinet approval was not required because they were not actually buying the property on which the building was erected.

In fact, in November 1992, the standing committee on public accounts passed a motion asking the Provincial Auditor to review the WCB plan to build a new building. The auditor found that the WCB had not done enough research to show that the project was good value for money spent and that the project was not in accordance with the spirit of the legislation requiring the WCB to receive cabinet approval.

The Liberals were asleep at the switch when the WCB launched this real estate fiasco, and the NDP said it was powerless to stop it. Yet the NDP-controlled standing committee on public accounts voted to delay the review of Ontario's WCB headquarters until—guess when—1996. To compound this problem, in August 1994 the diligent PC caucus exposed up to 330 WCB staffers who were—are you listening to this?—squeezed out of the WCB Taj Mahal due to a lack of space, which was the reason for building the tower in the first place.

Mr Gilles Pouliot (Lake Nipigon): On a point of order, Mr Speaker: With apologies, with respect, not once, sir, but twice a parallel, an analogy has been drawn with the Taj Mahal. The Taj Mahal, located in Agra, India, is a place of worship, so the parallel is out of place and therefore out of order.

The Deputy Speaker: I don't find for that. Would the member for Brampton North please continue.

Mr Spina: Let's ask, why did the NDP delay its decision? First of all, they knew they were not going to form the next government, so they figured, why make an unpopular yet necessary decision? They probably did not have the courage to tell the hardworking taxpayers of this province that they would have to make decisions that would have alienated the only people who openly supported their cause. Sometimes in life we have to have the courage to make these tough decisions, and that is exactly what our government intends to do with this bill. Our government is making changes that will ensure this fiasco does not happen again.

As has been stated many times during the debate on Bill 15, we have two objectives. The first is to change the governance and the accountability structure of the WCB. The second objective is to put the system back on a sound financial foundation so that we can protect the future needs of the injured workers that the member from Sudbury indicated. Concerning our first objectives, changes in the WCB governing structure in the past decade have been undermined by mismanagement and a bipartite structure that has not worked. Like many other of the NDP's bipartite structures, it just simply did not work; it created a gridlock that scarred the WCB for years.

For example, I've mentioned that the WCB could not agree on reforms that would have saved \$400 million because the board was paralysed due to the bipartite structure. Furthermore, the unfunded liability increased by \$8.7 billion. Let me repeat that: \$8.7 billion. I ask myself, what were the WCB leaders and previous governments thinking? Obviously the answer is that they weren't thinking.

It sounds like the WCB has the same tax-and-spend ideology as the NDP.

Mr Wayne Wettlaufer (Kitchener): Ideology.

Mr Spina: Yes, that's right—ideology. For months now, we've heard this word. However, for someone as schooled as the leader of the NDP, I'm baffled by his constant use of the word because all parties are based on an ideology. So please stop trying to create fear in the public's mind by saying that only ideology drives our agenda. He is totally incorrect. Ontario employers pay the second-highest premiums in this country—not this province, in this country. These premiums act as a major barrier to investment and job creation in Ontario. It puts the province at a competitive disadvantage in relation to other jurisdictions.

Mr Pouliot: This is a vicious attack on the previous regime.

Mr Spina: It can be considered that way, sir.

Over the past several years, the compensation system has moved away from its original mandate as a work-

place accident insurance plan. It has begun to compensate ailments that may not be directly work-related. For example, stress has been a condition under which one is entitled to benefits. If stress is grounds for compensation, then I think everyone in Ontario and probably most of the people in this Legislature should be on WC.

Overall, Bill 15 will strengthen the leadership and the management at the WCB while ensuring the board operates according to sound financial practices. The new multi-stakeholder board—I want to note that—includes representatives from labour, employers and other specialists in the field. This structure will provide stronger leadership, more effective decision-making and a wider representation on the board of directors.

1230

Bill 15 also takes a three-step approach to regaining financial control of the indebted WCB. Any decisions made by the WCB will support the goal of maintaining a sustainable workers' compensation system. These measures would include a mandatory five-year strategic plan and requirements for board members to act in a financially responsible manner. Secondly, the WCB will also be required to conduct the annual value-for-money audits. The audits would be conducted by an external auditor to ensure that efficiency and effectiveness is achieved in the delivery of the WCB programs, but more critically, the objectivity that it ought to have.

It can be argued that the WCB already conducts these value-for-money audits as a matter of administrative practice. The WCB has been conducting these audits over the past decade, as was indicated earlier. However, the WCB has not conducted any since 1993—two whole years with no value-for-money audits. Furthermore, past audits have not necessarily focused on the critical program areas where efficiencies are needed. For example, efficiencies are needed in areas such as the claims delivery system where the vast majority of the system's costs are generated. Bill 15's amendments make these value-for-money audits mandatory. The WCB will be bound to act upon recommendations for the improved efficiencies.

In the past, the board's approach to program evaluation has been sporadic and not always responsive to stakeholder service delivery concerns. Program reviewers have not always concentrated on the key service delivery areas such as adjudication, benefit payments or rehabilitation. The requirement for annual value-for-money audits as well as the provision that the minister can direct that specific areas be audited will ensure that audits are regular and responsive to changing needs and subject to stakeholder scrutiny.

The last provision in the bill to ensure financial stability includes measures to stem the loss of revenue owed to the WCB and prevent fraud. Any individual who obtains benefits or compensation by deliberately providing false or misleading information would be subject to penalties under the Workers' Compensation Act. But also, to balance that, employers who are required to register with the WCB and fail to do so will also be subject to penalties under the act. The WCB will be encouraged to share information with other organizations and jurisdictions to detect the abuses in the system.

Like any other private insurer, the WCB faces fraud and other abuses of the system. It is estimated that up to 5% of the costs of the overall system is lost due to fraud. With yearly expenditures of close to \$3 billion, what that translates to is about \$150 million a year lost due to fraudulent activities. One hundred fifty million dollars a year.

From a small business perspective, the workers' compensation system was originally designed as a workplace accident insurance plan to help employees who were injured on the job. It has grown into an employer-funded universal system that goes far beyond its original mandate and now seems to compensate anyone for anything.

For example, the number of accidents and the rate of workplace injuries has declined, yet the WCB continues to spend more and more money on benefits, but more importantly, the WCB has increased premiums on the backs of employers, many of whom are the small business owners of this province. As a result, Ontario's WCB premiums have become a major impediment to the ability of small businesses, particularly new ones, to create and, more so, to sustain jobs. In fact, Ontario premiums, as I mentioned, are the second-highest in this country, and it's safe to say that small businesses view the WCB as totally out of control.

The last part of Bill 15 disbands the Workplace Health and Safety Agency. We are not eliminating the WHSA to punish workers. However, we do feel there are more effective and efficient ways to provide health and safety training in the workplace. Like many other good things, it takes time to develop.

I want to add a personal note here. A close neighbour and constituent of mine, who is a high-level individual with the United Steelworkers of America, wrote a letter to me protesting the disbanding of the WHSA for the appropriate reasons that he felt. I responded by inviting him and recommending him to be a member of the consultation process that the minister is engaging in now for the restructuring.

The interesting part was that the union executive very clearly forbade him from participating in this process—no reasons given. When we invited this man—who I thought was always, and I still to this day feel that he is, a fair and reasonable man and would have made a great contribution on the part of labour—to that consultation process, he was actually forbidden by the union executive from participating in the process. They want to accuse us of being confrontational; they are the ones who are creating the confrontation.

The current WHSA, created by the Liberals in 1990, became a bureaucratic job killer. It did very little to improve workplace safety for the money that the employers spent on training. Employers across Ontario, particularly small business owners I've talked to—

Mr Peter Kormos (Welland-Thorold): Mr Speaker, on a point of order: Section 23, paragraph (d), of the standing orders.

The Deputy Speaker: There's nothing out of order. The member for Brampton North will proceed.

Mr Spina: As I mentioned, I've spoken to many small business owners in the past few months and they've told me that the complexity and the costs of the current program are so onerous that 70% of businesses could not comply even if they wanted to.

It's been argued by the opposition, "How can the WCB provide effective health and safety training?" Under its current structure, I agree: It can't provide cost-effective training. However, that is why we have Bill 15 before us today, as well as the report the minister responsible for the WCB, Mr Cam Jackson, will provide early next year.

The cost of the core certification program varies according to the length of the program. The registration fee for a one-week course costs \$535; two weeks cost \$765; three weeks cost \$995. The employers are responsible for paying those certification costs and must also pay the salaries or wages of the managers and workers while they participate in the program.

The complexity and the cost of that program has resulted in a low compliance rate. As of January, 2,995, or about 30%, of the employers in Ontario have registered employees in core certification programs. That's 23,243 people.

Small business told me that the bipartite system has become a textbook example of how the structure can fail, as the small business sector feels that the agency and the process have been hijacked by the labour unions. Small business owners in all sectors are upset by the excessive costs of the agency.

Of particular concern to the small business community is the power given to the occupational health and safety adjudicators, the right to grant certified health and safety committee members the authority to stop work unilaterally, a loose process that is too open to abuse. We feel there is a right for a person in a labour environment to be able to rectify a dangerous situation to their health, to them and to the other workers, but not to have the totally arbitrary authority to shut down the work process. Furthermore, if the investigation reveals that the claim is unfounded, there is no course for retribution, for the lost money that that corporation or that company incurs.

1240

People everywhere are being asked to live within their means. Is it too much for government to do the same? I don't think so.

Mr Baird: Too much for some.

Mr Spina: Too much for some. You're right, my friend.

Bill 15 will begin the process of reforming the WCB into a lean, efficient compensation system. The WCB will be able to deliver top-quality insurance for the best possible price: A key word, "insurance," because, you see, if it's run like an insurance agency, it will function efficiently.

Our government will ensure that this goal is carried out, not because of our ideology but because we have the courage to do what is necessary for the long-term benefit of the Ontario worker.

The Deputy Speaker: Questions or comments?

Mr Dominic Agostino (Hamilton East): I listened with interest for the 20 minutes my colleague spoke to the merits of Bill 15, and what I found amazing is that during those 20 minutes there was not one reference to injured workers. What he spoke about was value for money, efficiency, fraud, top-quality insurance, insurance agencies. Somewhere in this debate, what this member and this government have lost is the fact that WCB is there to help and protect the injured worker.

I've listened to opposition members go on at length. I think we're talking about some sort of outer-space concept here, with a system that is somewhere out there, without making any reference whatsoever to the human price that people and workers across this province have continued to pay day after day. It is some bottom-line accounting number for them. The WCB is some bottom line. That's all that really matters, and how, with who, it crunches along the way and who pays the price for it.

I'm amazed that someone could go on for 20 minutes, talk about WCB reform but fail to talk about injured workers. Isn't that what the system is all about? Isn't that what WCB was all about? Wasn't it there to protect and help injured workers? But my friends across the floor don't seem to realize that. My friends across the floor seem to think the only thing that matters is to bring the cost down and it doesn't matter how injured workers are impacted by this.

I think this callous approach to this reform is only the beginning. I think we'll see a lot more. I think top-quality insurance is exactly where this government is moving to. They want this to become another private little toy they can hand to their friends to make millions on the backs of injured workers, and I can tell you we're not going to allow that to happen.

Mr Silipo: I too listened with interest to the comments by the member for Brampton North, and I think as has been pointed out, was struck a little bit by the lack of discussion about what the workers' compensation system is all about at the end of the day, which is to provide for the needs of injured workers. The member for Hamilton East pointed out that omission, I think quite accurately, and I could only concur with his comments on that. But I also want to touch on a couple of other points.

The member for Brampton North talked about fraud, and I think it's legitimate for us to say that in fact whatever level of fraud exists in the WCB should be addressed and should be eradicated. I don't think any of us would disagree with that.

But I think people would understand also why we are somewhat puzzled as to why it is that this government puts so much emphasis on fraud when it comes to the WCB, why it puts so much emphasis on fraud when it comes to supports like the social assistance system of this province, and yet it runs away from the big problems that exist in terms of tax fraud.

They pretend that it doesn't exist, and they'd like to pretend that it's not there. The Premier's even gone as far as almost suggesting, if not saying, that in fact if only we had lower tax rates, that wouldn't happen, as if that is the way to deal with the tax fraud. I think that says volumes about where this government is putting its emphasis, and

it clearly is not in the interests of injured workers in this case.

I think it's telling that when we talk about the financial picture, when the member talked about the \$400-million plan, the savings plan that came before the board, he omitted to tell us that the people who did not go along with that plan were not the worker representatives but the business representatives. That also is a telling sign of the kind of intent that's behind this bill.

Mr John O'Toole (Durham East): In response to the member for Brampton North's comments, I'm sure he would agree when I say that we are all indeed concerned about safety in the workplace and the plight of the injured worker. That's fundamental to this entire Bill 15.

I think we also have to look at the sustainability of the WCB and its current unfunded liability of \$11.4 billion. It was clear why action had to be taken: the current board was in gridlock. We've opened it up so that there's a multipartite board which indeed could allow injured workers to be part of the process, not just political appointments or union presidents.

The solution recommended by the NDP has always been to increase the burden of the problem on the backs of the employers. We view that as a blockade or a barrier to growth. Minister Jackson will bring in some fundamental restructuring. This may include, but does not necessarily include, an extended waiting period. We are still awaiting the minister's decision on that issue.

I think, in all honesty, our approach to have a multipartite board to address the fundamental sustainability of the Workers' Compensation Board is why we've tried to rescue the current gridlock that's in the system.

Mr Crozier: As we all know, this period of 10 minutes after a speech is given according to standing order 25(a).

Mr Baird: What does that have to do with this speech?

Mr Crozier: If you'd listen for a second, you'd know.

"Following the speech of each member, a period not exceeding 10 minutes shall be made available, if required, to allow members to ask questions and comment...."

The question I would like to put to the member for Brampton North is: Where in Bill 15 does it even go beyond the support for injured workers but get to the root of the problem of accidents in the workplace? Where in Bill 15 do you address that very fundamental problem?

The Deputy Speaker: The member for Brampton North has two minutes for rebuttal if he chooses.

Mr Spina: I apologize; I didn't catch the entire question that the member gave. Perhaps he can ask it.

The first issue that I want to respond to is the one that was made earlier by the member from Hamilton and also the member for Dovercourt. The basic point is that the focus must be on the injured workers. Yes, we understand that and we appreciate it, but we also have to understand that fraud steals money from those who really need it, and when you eliminate the fraud, then those who are in need of it, those who deserve it, will be able to get in their entirety the benefits that they in fact deserve.

Furthermore, I would say that the previous governments had abrogated their responsibility to ensure that those injured workers they are talking so much about did get their just day and their just compensation for the injuries that they received because they in fact, by sitting back, allowed the fraud to take place when they knew it was taking place in the WCB, and I accuse them of abrogating their responsibilities as previous governments in charge of that particular board.

1250

Mr Kormos: On a point of order, Mr Speaker: As you just heard, the rules provide for up to 10 minutes for comments and questions and answers. The speaker used two minutes, which is the last fifth of that. That meant there was eight minutes. There was one minute and 14 seconds that was a remnant. The rules do not refer—

Mr Baird: What section's that?

Mr Kormos: Section 23(a). Read the book. The rules clearly indicate that it's up to 10 minutes. It doesn't indicate any number of speakers. It says up to 10 minutes. I'm standing to further the comments and I recognize the requirement for rotation because there's a minute and 14 seconds left.

The Deputy Speaker: Would the member take his seat, please. Each member may speak for a maximum of two minutes.

Mr Crozier: On a point of order, Mr Speaker: Under section 54 of the standing orders it says:

"Except as otherwise provided in these standing orders, government business will be taken up in the discretion of the government House leader or a minister acting in his or her place."

At the present time I don't see a minister in the House. Could you help me with the interpretation? Does that mean a minister has to be present?

The Deputy Speaker: No. I'm sorry. It's not a point of order.

Mr Crozier: Well, it was a point of order, but you explained it for me. Thank you.

The Deputy Speaker: Further debate.

Mr Agostino: I rise on this with some real mixed feelings because it is a very difficult issue and an emotional issue for many of us in discussing and dealing with the WCB. What I've found, as I mentioned earlier, is a pattern where opposition members have spoken strongly, eloquently and passionately about injured workers and where government members have spoken passionately and strongly about efficiency, fraud, insurance companies and value for money.

I want to commend members of the opposition of both parties who have spoken out so strongly in the defence of injured workers, members of our caucus, and particularly I listened with great interest yesterday to the member for Welland-Thorold as he, I think, said it better than any of us could. He spoke about the impact of injury, the impact and the damage that workplace injuries had on working men and women across this province, and I want to talk about that today.

One of the Tories continued to talk about fraud and value for money and efficiency, and those things are

important, but that is not the reason for the WCB existing. The reason the WCB in this province exists is to protect workers who have had an injury on the job, is to protect individuals who often have given up their lives, who often have given up their ability to be able to take care of their families as a result of workplace injury.

When the WCB system came into place, it was a tradeoff. Workers gave up the right to sue. Workers gave up those rights that any of us would have in most other injury situations in order to ensure that there was a fair compensation package given to them, and that is a right that this government is trying to take away from injured workers across the province.

I can tell you, both from personal experience and from professional experience, that I have seen the devastation that workplace injury has had on working men and women across this province. I've seen it in my own family where my father spent 23 years confined to a wheelchair, till he died 16 months ago, as a result of a workplace injury, as a result of the fact that 23 years ago he could not refuse to work on an unsafe construction site, could not refuse to work on an apartment building 40 feet up and could not refuse to work on a site where the employer did not think it was worth \$2 to put up some wood around an elevator shaft. He spent 23 years in a wheelchair, a man who had worked since the age of 13. He came to this country from Italy and a year later was confined to a wheelchair for the rest of his life because he could not protect himself on the work site.

That has had an impact on my life. That has had an impact on my family's life. That is maybe why I feel so strongly about the role that workers' compensation has in this province. I've seen relatives killed on construction sites in this province. I've had men and women come into my office, previously as a councillor and in the work I did earlier with the March of Dimes, who had lost their husband, their wife, on the work site. How do you explain to a six- or seven-year-old child that Dad's not coming home any more because he got killed on the job today?

I've seen those real-life experiences and they've impacted my views. And, yes, I am biased towards helping injured workers, and, yes, I'm biased towards believing that the compensation system is there to protect injured workers across this province, and it's a bias that I make absolutely no apologies for to anyone across this province.

The changes that we're starting to talk about today are changes that are going to ultimately lead to a massive revamping of workers' compensation away from the protection and the helping of the workers. We're talking ultimately about fraud. When my friend talks about fraud, of course, he's talking about faking injury. He's talking about people who are on compensation who are somehow feeling that this is a great cash cow and they can rip it off for life. There is some element of that, a very small element.

But also, when you start talking extensively about fraud, as my colleague has, as the members across the floor have, what you're telling me is that the injured construction worker in my riding is not really injured;

that the injured steelworker is not really injured; that the woman, a recent immigrant to Canada, who's worked in a mushroom factory and has had a serious back injury is faking it; that the cleaning lady who works for minimum wage 12 hours a day and injures her back or arm is faking it. You want to put everybody in that category. You want to be able to create this crisis in order to allow—

Mr Hastings: On a point of order, Mr Speaker: The member for Hamilton East continually creates the implication that members on the government side are totally anti-worker, not sympathetic, that we blame all of them. That's totally reprehensible on his part.

The Deputy Speaker: I didn't hear anything that I found unparliamentary.

Mr Bisson: On a point of order, Mr Speaker: I would only say this to that point of order. I totally agree with the member for Hamilton East that those members in government are opposed to supporting workers in this province.

Mr Agostino: Mr Speaker, thank you. And just in case my colleague across the floor didn't hear properly: Yes, members across the floor are opposed to injured workers in this province, yes, members across the floor are anti-worker, and your track record shows that clearly.

I'm amazed at the sensitivity that the members across the floor continue to show for men and women across this province who have been injured on the work site. I would like to ask some of the individuals to maybe pop in and speak to the worker advisers across this province in offices such as Hamilton's worker adviser's office, to people in McQueston Legal and Community Services in my riding that every single day are committed and are driven to continue to help injured workers despite this government's regulation.

Speak to them about the pain and suffering. Speak to them about men and women who all they want to do is be able to go to work in the morning, come home at night and look after their family, but are often crippled, are often seriously injured, are often killed on the job site through no fault of their own, through accidents that occur often as a result of negligence by the employers who do not believe they should spend those extra few dollars to ensure it's a safe workplace.

1300

You talk about fraud and you talk about a three-day waiting period. I find that interesting. Members have talked about this three-day waiting period that's going to occur at the top end. Is that to suggest that people are faking it and maybe if you wait those three days at the beginning they won't go on compensation, maybe they'll try to continue to work and injure themselves even further? If that is not a point of mistrust, if that is not a point of saying to injured workers, "We don't trust you and maybe you'll get over it in three days," what is?

Reform of the WCB has to happen within the context of helping injured workers. Reform of the system has to be with keeping in mind that, first of all, what we have to ensure is a fair compensation package; we have to ensure a system that works. I have seen some tremendous changes and some tremendous improvements over the last

23 years in how the WCB has functioned. It has improved, but it still needs a great deal of work.

We know that rehabilitation often occurs by early intervention and that process must be streamlined. We know that workplace health and safety is very important and the legislation must be strengthened to help and to give workers that opportunity to refuse work if they feel it is unsafe and feel it puts their life or their health at risk as a result of having to carry out that work.

The system is bureaucratic. The system needs to be changed. The appeal mechanism often is very difficult for workers to access and the length of time that workers must wait for appeals and decisions to be made is very difficult and drives many injured workers into welfare, into bankruptcy, into losing their homes and being unable to look after their family. That is the type of real reform this government should undertake. The real reform has got to be always focused to help injured workers, not to ensure that the bottom line looks better, not to ensure that the business community is happy with you because you've been able to cut a little bit of their cost at the price and on the backs of injured workers across this province.

If you're serious about reform, those are the types of initiatives this government should undertake. I don't see any of that in Bill 15. I don't see any of those types of initiatives whatsoever. What I see is the continuation of an attack on working men and women across this province, but even worse, on injured working men and women across this province.

You must get those people in your constituency office, because I know I do in my riding of Hamilton East. Ask those individuals who come in to see you about their WCB claim, who come in to see you about their pension, who come in to see you about their denied appeals time and time again, how the system should be reformed. Ask the injured workers what you can do to make the system more efficient, more fair, more balanced.

But you're afraid to do that because you might not like the answer you're going to hear, because that is not the bureaucratic approach you want to take. You don't want to consult with real people. You don't want to talk to people who are hurt, who are injured, and ask them how you should reform the system. You want to do it within the bureaucracy and the ivory tower of Queen's Park. You want to do it within the advice of the Premier and a couple of his flunkies who believe this is the road this province should take.

I can tell you that the pain and suffering you are continuing to inflict on working men and women across this province is going to come back to haunt you. But injured workers are not going to forget the start of what you have done to them. The families of injured workers are not going to forget what you have done to them: that you have started a process that you're going to privatize the compensation board. You want to make it an insurance company in the sense of the word as other insurance companies exist today. You want to make it based on profit. The only way you do that and the only way insurance companies make money is to charge higher premiums and to cut off benefits as quickly as possible

without thinking of the consequences. That is what you want to do. That is exactly what you want to do.

Why don't you ask injured workers if they think you should restructure WCB into an insurance company. See what injured workers tell you. Ask them about how long it takes them to get a claim approved, or how long they have to wait when they go into a WCB office to see a counsellor, and then you'll get the real answers.

Yes, it's important to talk to the business community. Yes, it is important to hear from them, but it is important, and it is more important, to talk—because the decisions you make today are going to impact injured workers more than anyone else across this province, and how dare you make those changes without talking to them?

It is brutal politics. It is a throwback to 100 years ago. It is a throwback to those that have the might are always right. It is a throwback to an Ontario we thought we had long left behind.

This government doesn't seem to understand that. In opposition, the Tories claimed they had a plan to reform the WCB. It is now clear they don't. It must have been a shock to Mike Harris when he realized that there was more to reforming WCB than just talk about selling an office building.

Bill 15 is just another example of an election bumper-sticker solution that fails to meet the real needs of Ontario today. Business was looking for leadership and confidence, and they got a bumper-sticker solution. Injured workers were looking for care and compassion, and they got a slap to the side of the head by this government.

I can remember Mike Harris, the Taxfighter, in the 1980s when he was part of a Conservative government which raised taxes 22 times for a total of \$1.8 billion. Then I remember Mike Harris in opposition when he talked about cutting, by 5%, relief to employers.

But I also remember Mike Harris during the election. What did he talk about in the Common Sense Revolution? He was going to cut the benefits of injured workers by 5%. Injured workers are too wealthy, according to Mike Harris, in Ontario. Their pensions are too rich. They get to take home way too much money as a result of their injuries. That is the Mike Harris Ontario and that is the Ontario the members across the floor, who sit there with smirks on their faces, believe.

Face the injured workers in this province, if they come into your office, and I don't know why an injured worker would want to walk into a Tory office in this province anywhere today. Ask them if they feel their benefits are too rich. Ask them if they feel they're getting compensated much too much for literally risking their life on the work site and having injuries that obviously are crippling and the pain and suffering, not only for them but for their families, every single day.

But this government believes that the rates are too high and that injured workers are getting way too much money and that they're riding this gravy train across Ontario. That is false, that is scare politics and that is the type of image you are trying to portray in order to dismantle the

system and create a crisis on the backs of injured workers across Ontario.

There's nothing in this bill to end the mismanagement, and I can tell you that from this day forward, this minister—whichever minister Mike Harris decides on the particular date—in charge of the WCB is going to have to take responsibility for every single case of additional injury that occurs in this province, for every single denied claim, for every single case of pain and suffering on the work site. You want it, you have it. You can appoint your flunkies to these boards. You can appoint your defeated candidates. You can appoint your hacks to these boards and help dismantle the system. But it's going to be on your shoulders every single time an injured worker across this province has to suffer more because of the changes you've made.

Rather than tinker with the system, we believe it is incumbent on the government to bring forward its entire reform package to the Legislature, allow public input and allow a full debate on how the WCB should be turned around.

This government should listen to injured workers as well as their friends on Bay Street. Injured workers should be allowed to give their input. It is absolutely essential. Governing is about balance. It is about bringing change with compassion. Despite promises to clean up the system, the compensation board and the patronage that goes on, we'll continue appointing senior managers and their boards through orders in council, ensuring the old Tory-Mulroney proverb, "It's not what you know, it's who you know," continues. It's simply another opportunity to continue rewarding their friends without taking into consideration what injured workers are going through in this province.

I urge, I beg this government to be sensitive, to be compassionate and to bring about reforms with real care, and I've based that on personal experience, the experience of my family, my friends, my constituents. I urge this government and I beg this government to please go out and talk to injured workers, understand their pain and suffering, understand that their life, in one split second, gets turned around as a result of an injury and that they look to us, they look to government to help and they look to government to give them the assistance they need, not to give them another kick in the head once they've been injured on the job.

I hope this government comes to its senses. Please reach out, talk to these individuals and make the changes that are going to help injured workers, not strictly continue to drive injured workers further into the ground.

1310

The Deputy Speaker: Questions or comments?

Mr Silipo: I'm happy to reply briefly to the comments made by the member for Hamilton East. What I appreciated very much in his comments was his emphasis on the needs of injured workers. I know in my own riding there are many injured workers who have been injured years ago and continue to take their case before the Workers' Compensation Board. I know also from that perspective the frustrations they feel on a day-to-day

basis and the reality of that frustration as they try to get some recognition in an adequate way for the suffering they have endured and continue to endure with their families.

It's important in this whole debate that we remind ourselves constantly, and that particularly we remind the government members, that what we are talking about here are not just bottom lines, but we are talking about injured workers. We are talking about people who have built the roads and the highways and the buildings of this province, people who have worked in the mines and the factories, and people who have been hurt doing those jobs and who ask for nothing more than to be able to get some adequate compensation for the fact that they can longer work.

What we see instead from this government is taking away all of the measures. They dismantled the health and safety process that would have prevented some of these accidents from happening, and they are putting an emphasis on dealing with the problems, which are real, at the Workers' Compensation Board, but dealing with and resolving those on the backs of the injured workers of this province, and that is what is so fundamentally wrong about what this government is doing.

We know this bill is only the backdrop to what is going to come later on, because the review that is under way now will result in a reduction of benefits, at least by 5%, to the injured workers of this province. It will mean that people will be forced to go to work earlier than they can, which in and of itself will cause greater injury, not to mention greater cost at the end of the day. That is also what is fundamentally wrong in what this government is doing.

Mr Baird: The previous speaker, the member for Hamilton East, talks about the motive of this government, that it's somehow anti-worker, that it's somehow out to get injured workers. The members opposite know that nothing could be further from the truth.

The reality and the fact is that over the past decade our WCB system has been undermined by mismanagement and a bipartite board of directors, which is a recipe for confrontation. It is not a recipe for creating solutions. The WCB's unfunded liability has grown rapidly over the last decade, from \$2.7 billion in 1984 to an unsustainable level of \$11.4 billion.

This government acknowledges that there have been some constructive solutions done over the past number of years, but a small amount of tinkering simply won't solve the long-term problem. To the member for Hamilton East, that's the motive of this government: to bring about the real change this system really needs.

There is a crisis in the WCB. It's existed for some time. If you look at Ontario's WCB unfunded liability, it's gone from \$2.7 billion in 1984 to \$9.1 billion in 1990, when his government left office, and rests at \$11.4 billion today. That's unsustainable. The government can't sustain that. The job creators in this province can't sustain that. The injured workers who depend on this insurance plan for protection can't survive on that sort of financial circumstance when their insurance company is facing that sort of a crisis.

Ontario employers pay the second-highest WCB premiums in Canada. We can't continue that. The average employer's assessment rates in Ontario are \$3 for every average \$100 assessment payroll. In Alberta, it's \$1.99; in British Columbia, it's \$2.26. Is there any wonder why the economies are doing so well in these communities?

This bill is about creating jobs and about restoring hope and opportunity to our province.

Mr Dwight Duncan (Windsor-Walkerville): I want to congratulate the member for Hamilton East on his passionate and eloquent defence of injured workers in this province. The member for Hamilton East knows full well that there has to be meaningful reform of the Workers' Compensation Board. Where he differs is that he knows it can't be done at the expense of injured workers alone. It can't be done on the backs of the poor.

You talk about a 5% cut in assessments, a promise you broke already. But what does that mean? You're going to cut injured workers' benefits while you're cutting assessments. It's an agenda that doesn't recognize balance or the need for everyone in the system to contribute to the solution.

The members of the government should listen to the words of balance and moderation and compassion spoken by the member for Hamilton East and recognize that meaningful compensation reform involves more than simply slashing benefits to injured workers. It means more than simply turning on them.

The member for Hamilton East spoke well of the need to recognize the limited income these people survive on, and "survive" is the word. While you contemplate all the giveaways you're going to give to those who least need them, think about injured workers, think about their survivors, think about their families and don't act in a knee-jerk fashion that's designed to penalize those people who can least afford to be penalized.

I congratulate Mr Agostino for a very good speech.

Mr Bisson: In response to the member for Hamilton East, it is not too often that I agree with members from the Liberal Party, but I agree with the member's assertion in this case in regard to one comment he made that I think is very important, that governing is all about finding a balance between the different people in the province of Ontario when it comes to a number of issues.

I think, quite frankly, that is what had been happening for a number of years in regard to changes that were made at the Workers' Compensation Board, but more importantly what had been done in the health and safety agency.

We know that the best way to be able to save money, if you want to reduce the unfunded liability at the board, is to reduce the amount of accidents. That's the easiest way to do it. One of the ways you reduce the accidents is that you make sure all the stakeholders within the workplace—the employer, the supervisors and the workers—clearly understand what the rules of the workplace are, clearly understand what good health and safety practices are, so that when there is a danger of an accident occurring, we're able to identify it immediately and take action.

One of the things we've done—great strides in this province over a number of years, dating probably about from 1985—is the work that we did in being able to move forward with more progressive health and safety legislation and, more recently, being able to put together the Workers' Health and Safety Centre, which is out there training and certifying workers and employers so that they be qualified in being able to address those problems of safety in the workplace.

One of the things this bill is doing is that the bill is taking away the ability of the Workplace Health and Safety Agency to do its job, because they want to go to a system where only the Tories and their friends will have the ability to educate the workers of this province.

I say to the members of the government, if you really want to reduce the amount of accidents, there's really only one way to do it, and the best way is to make sure that the workers in this province, first of all, have the protection under the legislation necessary to report an unsafe work condition and, second of all, to allow the health and safety agency to carry out the job that has been so admirably done the past number of years.

The Speaker: The member for Hamilton East has two minutes to wrap up.

Mr Agostino: I'm pleased that the minister in charge of the WCB is now here, because I want to make that same plea and appeal I made earlier. Before you go ahead with the changes you are talking about in Bill 15, before you go ahead with the further changes, I would ask the minister and this government to go out and talk to injured workers across this province.

Spend some time in some of the WCB offices, not in the back rooms with the directors, but in the lobby. You all have offices in your communities. Spend a few minutes in the lobby and talk to the injured workers as they come in. If you can't find any injured workers in your community, come to Hamilton East. I'd be more than happy to introduce you to some injured workers. I'd be more than happy to have you talk to people who have been impacted by decisions, and are going to be impacted by decisions to be made by this government.

I urge this government to move with care, to move with balance, to move with compassion. We're not talking about some institution removed somewhere; we're talking about an institution that serves injured men and women across this province, people who have done nothing more than simply having gone to work and having tried to take care of their family and have often paid the ultimate price as a result of that.

Interjections.

1320

Mr Agostino: My friends across the floor don't seem to understand that. Many of the backbenchers are smirking and making stupid comments. I ask you to go out and talk to injured workers. Across the floor, go talk to them. Find out the pain, the agony that is going on and what you're going to inflict before you sit there with these smart-ass remarks.

This government is out of touch with reality. Those members are out of touch with reality.

Interjections.

The Speaker: Order. I think the honourable member has used some choice words that are not acceptable in this Legislature.

Mr Agostino: I will withdraw those comments. I would ask the government to go out and consult and show some care and compassion when it's dealing with this issue.

The Speaker: Time has expired.

Hon Cameron Jackson (Minister without Portfolio [Workers' Compensation Board]): On a point of order, Mr Speaker: I wish to bring up a certain standing order of this House as well as previous rulings of the Chair of this chamber that the reference to absence of a specific member is considered unparliamentary. I want to assure the member opposite that not only was I listening to his portion of the debate but I was engaged in discussions with the mayor of Hamilton's office with respect to looking into matters of concern to that city, which I know the member opposite—and why I explain that to the member, and with the permission of the Chair for a brief second—

Mr Crozier: What's the point of order?

Hon Mr Jackson: The point of order is the unparliamentary reference to attendance in this House. I know the member opposite wishes always that matters of concern to his riding are raised, but that is why it is the custom not only in this Parliament but in all Parliaments in Canada that the references are offensive and inappropriate. I know he's a new member in this House, but there is a reason why that has been a previous ruling, and I appreciate now that perhaps we could be more sensitive to that issue.

Mr Silipo: On the same point of order, Mr Speaker: I think that the member for Burlington South is quite correct in his assertion that the rules are clear in terms of us not pointing out or any member pointing out the absence of another member. But I think that it would also be appropriate to point out that it is also a custom and a tradition, if not explicitly stated in the rules of this House, when important pieces of legislation are before this House that there be present in the House a minister or a parliamentary assistant responsible for that legislation. Mr Speaker, I think that you would understand certainly the frustration that we had at times in the debate when that did not take place.

Mr Agostino: Speaker, a point of order.

The Speaker: Under what section is your point of order?

Mr Agostino: The same section as the member referred to. Basically, just to the member across, the point was not meant to be in a derogatory manner—

The Speaker: You can't debate across the floor with another member. That's out of order.

Further debate. No further debate?

Mr Silipo: I would be happy to continue further debate, but I believe we had agreement to call—

Mr Kormos: Debate. Debate. We want to hear what you've got to say.

Mr Silipo: I would seek some guidance, Mr Speaker.

The Speaker: There's been no agreement to my knowledge.

Mr David Turnbull (York Mills): There was an agreement at the House leaders' meeting this week that the debate would end at a quarter past 1 and that there would be a five-minute bell and that we would be voting on this issue at that time.

The Speaker: Nobody has announced that to me. Further debate.

Ms Frances Lankin (Beaches-Woodbine): On a point of order, Mr Speaker: Just to support the chief government whip, in fact that was the agreement that was arrived at by all three parties.

The Speaker: Do we have unanimous consent of the House to proceed with the vote? Agreed.

Mrs Witmer has moved second reading of Bill 15. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members; it will be a five-minute bell.

The division bells rang from 1326 to 1331.

The Speaker: All those in favour of Mrs Witmer's bill will please rise one at a time.

Ayes

Arnott, Ted	Guzzo, Garry J.	Parker, John L.
Baird, John R.	Hardeman, Ernie	Pettit, Trevor
Barrett, Toby	Harnick, Charles	Rollins, E.J. Douglas
Boushy, Dave	Hastings, John	Ross, Lillian
Brown, Jim	Hudak, Tim	Runciman, Bob
Carroll, Jack	Jackson, Cameron	Sampson, Rob
Chudleigh, Ted	Johns, Helen	Saunderson, William
Clement, Tony	Johnson, Bert	Shea, Derwyn
Danford, Harry	Johnson, David	Sheehan, Frank
DeFaria, Carl	Johnson, Ron	Skarica, Toni
Doyle, Ed	Jordan, Leo	Snobelen, John
Ecker, Janet	Kells, Morley	Spina, Joseph
Elliott, Brenda	Leach, Al	Stewart, R. Gary
Eves, Ernie L.	Leadston, Gary L.	Tascona, Joseph N.
Fisher, Barbara	Marland, Margaret	Tilson, David
Flaherty, Jim	Martiniuk, Gerry	Turnbull, David
Ford, Douglas B.	Maves, Bart	Vankoughnet, Bill
Fox, Gary	Murdoch, Bill	Wettlaufer, Wayne
Galt, Doug	O'Toole, John	Wilson, Jim
Gilchrist, Steve	Ouellette, Jerry J.	Witmer, Elizabeth
Grimmett, Bill	Palladini, Al	Young, Terence H.

The Speaker: Those opposed will please rise one at a time.

Nays

Agostino, Dominic	Crozier, Bruce	Pouliot, Gilles
Bartolucci, Rick	Curling, Alvin	Pupatello, Sandra
Bisson, Gilles	Duncan, Dwight	Rae, Bob
Bradley, James J.	Gravelle, Michael	Ruprecht, Tony
Castrilli, Annamarie	Kormos, Peter	Sergio, Mario
Christopherson, David	Lankin, Frances	Silipo, Tony
Churley, Marilyn	Martel, Shelley	Wildman, Bud
Colle, Mike	Martin, Tony	Wood, Len
Cordiano, Joseph	Phillips, Gerry	

Clerk of the House: The ayes are 63, the nays 26.

The Speaker: I declare the motion carried.

Shall the bill be ordered for third reading? Committee of the whole.

Hon Elizabeth Witmer (Minister of Labour): No, it's going to the standing committee on resources development.

The Speaker: The request has been to the standing committee on resources development. Carried? Agreed.

MEMBERS' STATEMENTS

DIABETES CELEBRITY CHALLENGE

Mr Michael Gravelle (Port Arthur): I'm very proud to rise today to salute the work of the Thunder Bay district branch of the Canadian Diabetes Association and to introduce you to my friend here.

As part of a celebrity challenge, I attended a training seminar last week to learn what is involved in the day-to-day management of diabetes. Over the next week, participants like myself will be monitoring the amount and type of food that we consume and testing blood sugar levels at regular intervals.

My friend here will be subjected to injections similar to what diabetes patients undergo for insulin on a day-to-day basis. My bear was specially made by Mrs Jackie Hill, a member of the Thunder Bay diabetes board. Her daughter Cathryn has dealt with the difficulties of juvenile diabetes since the age of eight.

Each of us faces challenges in our day-to-day lives and we deal with those challenges in our own way. This awareness campaign by the Canadian Diabetes Association is aimed at helping those of us fortunate enough not to be confronted with diabetes understand the daily challenges faced by the one in 20 Canadians who are. While the discovery of insulin in 1921 was significant in managing diabetes and slowing its progress, it did not provide a cure.

The Thunder Bay district branch has been tremendously active over the past year. Through fund-raising initiatives, public health fairs and children's camps, they have been promoting public health and awareness across the community.

I would like to challenge all of you here to help fight diabetes. Volunteer or participate in one event or program offered by your local CDA branch this year. Working together, we can make a difference.

HOME CARE

Ms Marilyn Churley (Riverdale): This most urgent statement is directed to the Minister of Health concerning the Gaster family and the need for adequate home care for their 21-year-old son Enosh, who lives with a complicated epilepsy disorder which is not controlled by medication. He suffers from frequent life-threatening pneumonia.

Enosh's condition is such that a momentary deterioration, for even several moments, could be life-threatening. Enosh requires 24-hour monitoring. Over the years, through a combination of family care, home care and registered nursing care, the family has been able to ensure that someone was at Enosh's side when he needed

help. However, this arrangement is no longer working because he is no longer receiving the registered nursing care he needs at night due to cuts.

Enosh is non-verbal. He requires that a trained medical professional be at his side at all times. Home care has stretched the number of service hours available as far as they can. The family, feeling that they had no other option, accepted what is available. They have at this time accepted an arrangement which his doctor feels is unacceptable and could endanger his health.

This is a heartbreaking and extremely complex case. I can't get into all the details of it here, but it's something that I've been working on, and my predecessors before me, with this loving, caring family. I would ask that the minister personally look into this case and find a way to provide the necessary resources to safeguard Enosh's health and life.

TEACHERS OF THE YEAR

Mr Douglas B. Ford (Etobicoke-Humber): I am pleased and honoured today to stand and inform the House of a teacher from a school in my riding who has been recognized as a co-winner of the Humber Valley Kiwanis Club's 1995 Teacher of the Year award. Dave Oliver, head of the science department at Scarlett Heights Collegiate, received the award last night, along with Anne Birch, an English teacher at Silverthorn Collegiate. That is also in Etobicoke.

Mr Oliver has taught at schools in Etobicoke for almost 30 years, of which the last six have been at Scarlett Heights. In addition to teaching biology, Mr Oliver sits on the school's anti-racism committee and is active with the intramural sports, including his role as coach of the tennis team.

The co-winner, Mrs Birch, in addition to being an English teacher, moderates the school's debating club and gives guidance to model Parliament and United Nations competitions.

I congratulate Mr Oliver and Mrs Birch for their exemplary work and for making a contribution to the education system that has had a positive impact on a great many children.

1340

TORONTO RAPTORS

Mr Mario Sergio (Yorkview): The Toronto Raptors basketball team has started its inaugural season in the National Basketball Association. The hard work of all the staff of the Toronto Raptors has paid off, as they are about to historically embark on their quest for an NBA national championship.

As part of the team's commitment to the city, the province and the country, the staff and players of the Raptors are diligently working to improve the lives of children and teenagers. In fact, earlier this month the staff and players of the Toronto Raptors unveiled a program aimed at keeping kids in school. To complement this are numerous community outreach initiatives which seek to warn children of the dangers of drugs and alcohol abuse, as well as enlightening students on the benefits of education and a healthy, active lifestyle.

Add to this the significant impact the team's presence will have on the local economy, then we are looking at major spinoff benefits for the city of Toronto. The construction jobs associated with the building of the new stadium, the infusion of tourist dollars into the city and the positive impact the presence of the team will have on the small business community make the Toronto Raptors a welcome addition to the city.

I look forward to following the progress of the Toronto Raptors as they begin their historic journey towards success.

OPP CUTBACKS

Mr Gilles Pouliot (Lake Nipigon): Once again, northern residents are being hit hard by this government. "Cut and cut again" will only serve to widen the gap between the services provided in the north compared to what southern Ontarians are taking for granted and enjoying.

This time it's the work of the Solicitor General. An unprecedented number of OPP detachments in Lake Nipigon are under review and at risk of closing. The proposed amalgamation of detachments, for example, in my home community of Manitouwadge—add to it the communities of Schreiber and Upsala—will mean less direct access to police services for residents of my riding, along with an increased workload for an already over-worked workforce.

Simply put, the north has been penalized and has received nothing since this government, took office a mere five and a half months ago.

With these proposed cuts, officers will have to travel greater distances to respond to calls.

I urge the minister to maintain the existing number of OPP, the existing number of detachments. I urge him to look at ways of increasing the police presence in areas which already have been hit hard indeed by this callous government's heavy-handed cuts.

DEVELOPMENT IN STRATFORD

Mr Bert Johnson (Perth): I rise today to share with the members of this House some good news that's taking place in the great riding, indeed the great county, of Perth.

A \$22-million development project has been announced in the city of Stratford. The old CN engine shops in the heart of Stratford will be transformed into a 240-room hotel-resort and spa. The Ramada Plaza Stratford Hotel will be the flagship of Ramada's Canadian operations. It will create 350 jobs in my riding, with an estimated annual payroll of \$3.4 million and an economic impact of \$100 million in the local economy.

The best part is there is no government money used. With the government out of the way, the private sector can and will create jobs.

The Speaker (Hon Allan K. McLean): The member for Oakwood.

Mr Mike Colle (Oakwood): It's good to hear some good news for a change.

GREATER TORONTO AREA

Mr Mike Colle (Oakwood): Earlier this week, the Minister of Municipal Affairs and Housing met privately with the chair of the Golden task force and was briefed behind closed doors on the findings of the task force. However, the recommendations made by this task force will not be shared with the taxpayers until some time in 1996.

Restructuring of the GTA will affect over four million taxpayers, from Burlington to Bowmanville, and will result in dramatic changes in everything from property taxation to policing and to every aspect of the socioeconomic life of 40% of Ontario's population.

The taxpayers paid for the task force and the taxpayers have a right to know what is being recommended behind closed doors. Why is this government hiding behind this secrecy? Why are they waiting for months before giving the public an overview of the recommendations? Why are they afraid to share the findings of the Golden task force with the ordinary taxpayers? Why must those most directly affected by the most significant changes in local government in the GTA in this century rely on media leaks and speculation to see how they might be affected by a new property tax system, for instance?

Let us hope that this secrecy and speculation are ended and the public is allowed to be part of this decision-making process without any further excuses about reports being too complex for the public to understand. Silence in this case should not be golden.

DAY CARE

Mr Rosario Marchese (Fort York): I stand here to speak on an issue that is of concern to many people, and that is around the issue of day care. There was a meeting at the Toronto Board of Education a week and a half ago. At this meeting there were approximately 900 people—that's a lot of people—talking about an issue that concerns them. It was in fact the largest meeting that I have ever attended.

There was not one Tory to speak on this issue; the minister wasn't there and somebody sent a letter on behalf of the parliamentary assistant saying whatever it is that they were saying. My feeling is that they're afraid to come and talk to the people about the effects the cuts have on individuals and on families and on the people of Ontario.

The points they made were the following. They cannot find volunteers to look after their children; it's not possible. People are working, and if they don't have a system as we have to give them access to a day care centre, those people will not be working. They don't want a voucher system, because it doesn't work and it will not work.

We don't need another system that will create further inequities for women. We don't need another system that you're about to embark on that will create further hardships for individual families and for people in this society.

This is a tragedy that is about to happen. I hope that we can avoid it. I hope that these Conservative members will rethink their strategy around child care, because it

doesn't work, it will not work and will create further hardships for everyone.

YOUNG CITIZEN OF THE YEAR AWARD

Mr Rob Sampson (Mississauga West): I rise today to recognize three exceptional young residents of the great city of Mississauga. Janine Smazick, Raymond Lim, both of whom are here today, and Mimi Nguyen were recently all awarded the Young Citizen of the Year honours for their outstanding contribution to their community and the province of Ontario.

Despite the individual demands of their own busy lives, these three individuals have given generously of their time and energy in support of numerous worthwhile efforts within the community while volunteering at hospitals, distress centres, coordinating campaigns and organizations for various causes or just simply getting involved because things need to be done. These three individuals provided the type of role model that the youth of today can look up to and would do well to emulate.

The residents of Mississauga are proud, indeed very proud and fortunate, to have in their midst these three citizens committed to improving our community and their community. On behalf of all the residents of Mississauga, I would like to congratulate them on their achievements.

Mr Bill Murdoch (Grey-Owen Sound): On a point of privilege, Mr Speaker: It's my privilege to inform the House that I took up the challenge of the member for Lake Nipigon this week and travelled from Timmins to Thunder Bay. I want to inform the House that the roads were in excellent shape. The people who they said would not—

The Speaker (Hon Allan K. McLean): Order.

Mr Gilles Bisson (Cochrane South): On a point of order, Mr Speaker—

The Speaker: That was not a point of order. He was out of order.

Mr Bisson: Mr Speaker, a number of people have died on the northern highways—

The Speaker: Order. The member will come to order or I will have to name the honourable member.

Interjections.

The Speaker: I name the honourable member. He would not come to order. He has been named. Would the member please leave the chamber.

Mr Bisson left the chamber.

1350

STATEMENTS BY THE MINISTRY
AND RESPONSES

LAND CAUTIONS IN TEMAGAMI

Hon Charles Harnick (Attorney General, minister responsible for native affairs): I'm pleased to advise members of a development that occurred yesterday concerning the land cautions in the Temagami area. This development will restore hope and opportunity for residents of northeastern Ontario. The court made an order that the land cautions, which froze all progress in the area, have ceased to have effect.

The government of Ontario believes that this stalemate has lasted too long. For too many years, these cautions

have had the effect of inhibiting the growth of the economy and the lives of the people in the region. The court's decision is a welcome development that allows everyone concerned to continue to move forward.

The government is now in a position to engage in the responsible administration and use of the lands for the benefit of all Ontarians, for both the aboriginal and non-aboriginal communities.

I want to assure this House that the government is committed to an orderly reopening of the lands in an environmentally responsible fashion. The government is committed to preserving old-growth heritage areas as well as the aboriginal sacred and cultural sites.

And I want to stress this point: The protection of the environment will be a top priority. Any development in the area will be subject to the same stringent environmental requirements applied throughout the province and no immediate action will take place in the area.

It is not our intention to open the entire region to mining at once. Instead, staking opportunities will be provided in an orderly manner, opening different townships up for staking at different times.

With regard to the outstanding issues of the aboriginal community, my door remains open to further discussions.

This resolution has been a long time coming and is the culmination of a lengthy court process. Now we can begin to work together in a non-adversarial manner that benefits all residents of Temagami region in the steps towards the restoration of economic hope and prosperity.

Mr James J. Bradley (St Catharines): The minister speaks of an area which has been a great difficulty for many people and the many stakeholders in the area, including the residents of the area, others who have a specific interest across the province in the special attributes of the area, and of course the native population in the area, who have had an extremely special interest in developments that have taken place.

I find it interesting that the minister in his statement uses the word "progress." He says, "The court made an order that the land cautions, which froze all progress in the area, have ceased to have effect." I would say that he is equating in that the word "development" with progress, and sometimes development is progress and sometimes development isn't progress.

I note that in the statement he has also made reference to the fact that any development that might take place will be in a manner which is environmentally desirable, or words to that effect. He says that "Any development in the area will be subject to the same stringent environmental requirements applied throughout the province." My concern is that this government is going to reduce those environmental requirements throughout the province.

The minister gives an assurance, which I think is an assurance people would look for, that there will be not a different set of rules applied to this. But our concern would be, as expressed by the Environment critic for the official opposition, that the requirements that are in effect at the present time across the province are in fact going to be reduced.

If we look at the dismantling of the Ministry of Environment that is taking place and of course will take place to an even greater extent when the Treasurer, now called the Minister of Finance, makes his report to the Legislature—not a budget, as we would like, but a financial statement—on November 29, I think we will see that to enforce these stringent measures there will be fewer members of the Ministry of Environment available for those purposes. I think we will note that the word has gone out to the Ministry of Environment that it's to be more business-friendly. I think in the Ministry of Environment everybody knows what that means. It means reverting back to the good old days, as you would say, back when the polluters called the tune in so many of those cases.

So of course there are going to be rounds of applause taking place. As you reduce the staff, as you reduce the resources, as you reduce the environmental requirements, you will find that there will be some people very happy in this province. I know who they are, and they've been unhappy. But there will be a lot of people, average citizens across this province, who will be unhappy. But I am pleased that the Attorney General has included this in the statement, at the very least, because that's an important component.

It mentions, about mining, that "It is not our intention to open the entire region to mining at once." My concern again, if we look at the field of mining, is that the Minister of Natural Resources, who I understand in this government also has responsibility for mining, is changing the Mining Act again to reduce the requirements of mines in terms of the impact they have on the environment.

I know that sounds good when you start out. I know it can encourage some development, those changes in the Mining Act, but what happens is down the line when there is a desecration of the environment, when there is damage that is left, instead of those specifically responsible, those who derived profit from it, assuming the responsibility, all of the taxpayers of Ontario have to assume the responsibility. Those who know what's left after some of the mines are left and abandoned know there can be great difficulties unless there is appropriate government supervision and action.

This will be received in different ways, I'm sure, by different people. Some of the residents of the area will be pleased to see that there's a resolution of sorts. I think the minister is appropriate in stating that he has his door open to further discussions and negotiations. I think that is positive. I like to find something positive in a statement at all times, and that statement is positive, and his suggestion that there will be strict environmental requirements applied throughout the area is a positive statement. When we see the final action, however, when we see the plan unfolding, all of us will be able to render a better judgement at that time.

Ms Shelley Martel (Sudbury East): In response to the statement that has been made this afternoon by the Attorney General, let me say this on behalf of our party.

Firstly, the court decision that was rendered yesterday on this issue really deals only with a very small piece of

what has been a very large and complex and, frankly, a very divisive issue for a long time. In fact, the caution has been in place for well over 20 years now. There has been a freeze on development, certainly on the side of mining and prospecting, and there have been a number of conflicts back and forth between the native and non-native communities about how best to use the land and who could benefit by it.

I wanted to say that the former government, to their credit, did try, after the court rendered a decision with respect to the land caution, to put together a package that they hoped would be acceptable to the first nation and to the Teme-Augama Anishnabai to deal with issues of compensation around land, money etc. Unfortunately, that package was not accepted by the TAA and the first nation.

When we came to government, we as well, after many months of negotiation with the first nation, with the non-native communities, with the mining industry, with the forestry industry, also tried to put together a package. Again, after two votes, both by the band and by the TAA, it was not acceptable. We found that very regrettable, but we also at the time said that our door would be kept open and if at a certain point the first nations wanted to come back and accept that package, we would be prepared to honour the contribution we were prepared to put on the table.

So I say to the minister today that with the lifting of the caution, I really do encourage this government to move slowly, to deal with all the environmental concerns and to certainly deal with the concerns that the first nations have around sacred burial sites etc.

When I was at the Ministry of Northern Development and Mines we did put together a package. Some very good work was done internally by the staff to look at the orderly opening of the northern half of the area for staking purposes. I would certainly encourage the minister to talk to his colleague the Minister of Northern Development and of Natural Resources to again bring out those plans and take a look at them, not only to convince the first nations that it will go slowly, but also frankly to deal with health and safety concerns of people who want to go in and do work in an area where there hasn't been prospecting for some 20 years.

1400

I would also encourage the minister and his government to really encourage the mining industry as well to make it clear to the first nations what kind of positive opportunities there are in this region for both prospecting and development. The OMA, certainly when I was minister, tried to have some meetings with the nations and did have one, that I recall, to encourage them to be partners in some development. I would encourage the minister to go back and have those discussions again.

Finally, I'm sure the minister knows full well that the original court decision on the land claim by the Bear Island band and by the TAA of course did not recognize the claim that was put forward. But it is also very clear that the court, when it rendered a decision on this issue, said that the government did have a fiduciary responsibility with respect to this first nation and recognized the

very long time that this first nation has lived in the Temagami area.

That is why we entered into the negotiations that we did and that is why I am very hopeful to hear that the minister will keep the door open. He will know very clearly that there was a package on the table—yes, a package that was refused, but none the less a package for compensation: financial, land and some participation in resource development. I hope that will be the same kind of package this government is prepared to keep on the table if and when and should the first nations and the TAA come to negotiate again with the government.

While we are pleased to see that one piece of a very complex and very divisive issue has been put to rest, there are many important issues which still remain outstanding and which will require very much the sensitivity of this minister and this government to deal with. I hope he will address them in that way.

ORAL QUESTIONS

CRIME PREVENTION

Mr James J. Bradley (St Catharines): My question is for the Solicitor General. This morning, the Solicitor General would likely be aware, because he's obviously been briefed on this, Priscilla de Villiers and members of CAVEAT released their annual report card on the Ontario government's actions with regard to crime and safety. These are recommendations contained in a document known as Safety Net in the final report.

Surprisingly, the Ontario government received one of the lowest marks of all governments in Canada. In the area of crime prevention, a very important area, the Ontario government actually received an F, a failing grade. According to CAVEAT, while the government speaks a great deal about public safety and law and order, its actions speak louder than its words.

Minister, CAVEAT says that your cuts to welfare, your cuts to women's shelters, your cuts to halfway houses and your cuts to job training are all jeopardizing crime prevention efforts, and particularly the safety of children. Do you agree with CAVEAT that your policies will create more crime rather than less crime?

Hon Bob Runciman (Solicitor General and Minister of Correctional Services): I agree with the member that D+ is not a very favourable mark; I haven't received a mark that low since grade 3. But I want to remind the member that we haven't even completed our first semester and I think the mark is unfair. I will be appearing before the CAVEAT conference on Monday to speak in the evening. At that point I'll be appealing for a higher mark.

Mr Bradley: It's unlikely the minister is going to receive a higher mark, because some of his colleagues will be effecting even further cuts to the areas about which CAVEAT has expressed some considerable concern.

CAVEAT said today that your policies "run counter to all known research on social development approaches to crime prevention." They go on to predict that your policies will have "a profoundly negative effect on the next generation." CAVEAT says that if the government

continues along the path it is taking now, the results will be tragic.

Minister, will you listen to Mrs de Villiers and the members of CAVEAT, who know too well the pain of crime, and will you act on the concerns they have raised, or will they be dismissed as simply another interest group looking for money and consideration from the government?

Hon Mr Runciman: I've known Mrs de Villiers for some significant period of time and we've worked together. I've been involved with CAVEAT for some time as well in my role in opposition as critic for the Ministry of the Solicitor General, and certainly I'm quite prepared, as are other members of this government, to sit down with Mrs de Villiers and members of CAVEAT. We have a great deal of respect for the job they're performing, for the role they play and for the concerns they represent on behalf of victims in this province and we're prepared, in an ongoing way, to work with them. We want to work together. We share the same goals and objectives and I think, working together, we can achieve them.

Mr Bradley: I think the concern they would have is the concern I have, that the financial statement that will be presented to the House on November 29 from the Treasurer of the province, the Minister of Finance, will in fact not reflect that kind of concern.

CAVEAT says in the report card that the only contributions of the Ontario government to crime prevention are in the areas of reducing the luxuries of prisons and increasing deterrent measures. These, they emphasize, are the least effective methods of preventing crime. We're talking about crime prevention, as opposed to dealing with it when it has already happened.

Minister, Mrs de Villiers and CAVEAT are extremely critical of your actions. Like CAVEAT, we would like to know today what specific actions you will take to improve your failing grade in the field of crime prevention and, more importantly, what you will do to make our streets safer for our children in the years to come.

Hon Mr Runciman: That's one of the elements of the report card that we certainly are not supportive of and we will be discussing this with Mrs de Villiers and other members of CAVEAT.

I think that in terms of initiatives undertaken by this government in its short term in office, we stand up to scrutiny with any other government in this country, certainly in the last 15 or 20 years. We've made significant changes to the parole board. Prior to the changes we made there, there were no justice appointees with any justice background serving on the parole board. We have now Douglas Drinkwater, a very well respected Ontarian, reviewing the parole board operations.

We've initiated a new risk assessment tool to assess individuals released out into our communities. We are looking at the development of a protocol to assist police forces with best practices on information sharing with respect to serial killers. We are working on the establishment of a release-of-names protocol to assist police officers and police chiefs in this province in terms of

releasing names of dangerous offenders when they come out into their communities.

We will be introducing shortly a Victims' Bill of Rights which his party and the NDP refused to bring in during their terms in office. We will soon sign a proceeds-of-crime memorandum of understanding with the federal government. We're shortly going to be announcing a task force to deal with young offenders.

I can go on and on, but the reality is, the bottom line is that CAVEAT and other victims in this country will not find a more supportive government than the one currently in residence at Queen's Park.

SOCIAL ASSISTANCE

Mr Sean G. Conway (Renfrew North): My question is to the Premier. Four weeks ago, the Right Reverend Walter Asbil, the Anglican bishop of Niagara, wrote you an open letter, a letter which said in part that Bishop Asbil, on behalf of the 116 parishes in that Anglican synod, were increasingly concerned by the appearance that your government was leaving with the people of Ontario in the early part of your mandate.

Quoting directly from the bishop's letter to you of October 24, 1995, "What I perceive...in the first months of your mandate as our Premier is that your government is singling out the poorest segment in our society, the ones with no champion in your cabinet, and you are asking them to bear the brunt of your efforts to reduce the debt."

Going on, he says, "The face your government is presenting to Ontario increasingly is one that shows heartlessness, no compassion, callous disregard and an attitude towards the poor that is perceived as mean and patronizing."

What have you had to say in response to the right reverend Anglican bishop of Niagara?

Hon Michael D. Harris (Premier): I thank the member for the question, because there has been, I would suggest to the member, efforts by some to portray getting our finances in order, to portray paying on average 10% higher than the rest of Canada and virtually almost any jurisdiction in the world, as somehow mean-spirited on behalf of this government, this administration. It's been repeated by some members of the opposition over and over and over again, I think with a view to try to get it into print and try and get the perception out there.

1410

I think that the bishop, who is a bishop—not my bishop but a bishop of the church to which I belong—said in his letter that this is the perception that is being portrayed and he has concerns with this perception.

I just want to say this to the member: I have concerns with that perception too, because I want to tell you that making the tough and difficult decisions we have made, making those decisions we have made, not only is morally right but is the most compassionate thing that could possibly be done for the people of Ontario, for those who do not have jobs, for those who are currently on welfare, for those who are currently struggling along on minimum-wage jobs, and that the cruellest thing that could be done would be to do what was done for the last 10 years, nothing, and let this problem escalate.

Mr Conway: My supplementary to the Premier is as follows. On November 2, 1995, Rabbi Dow Marmur, in an address to Holy Blossom Temple here in Toronto, said in part:

"The triumph of the Common Sense Revolution illustrates what happens to society when religion is relegated to the private realm, where God sense is banished from common sense."

The rabbi goes on at some length to raise very real and deep-seated concerns on his part and on the part of members of his faith about the unjust and, dare I say, perceived immoral aspects of some of what you are doing to some of the most defenceless people in this society.

I say to you, Mr Premier, it's not Conway the opposition member speaking here. This is the Anglican bishop of Niagara, a very respected rabbi here in Toronto and scores of other church leaders in this province who represent the moral leadership of our community. What do you have to say to their growing criticism that what you are doing to the poor, to the disabled, to the disadvantaged is unjust, unfair and increasingly immoral?

Hon Mr Harris: Let me say that it concerns me if even one rabbi or one priest believes for one fraction of a second that doing what is responsible, doing what is right, correcting the massive overspending, particularly by the Liberal Party when it was in office, and then the massive borrowing by the NDP to pay for it when they were in office, it concerns me greatly if there is even one member of any clergy of any denomination who for some reason or other wishes to impugn a motive or accept a motive as being immoral or as being cruel.

Because I want to tell you and all members of the Legislature, to all Ontarians—it's a very important question—why is it we are trying to correct this massive overspending, this mess? Why is it we want to bring fiscal sanity back to the province?

It is something I intend to continue talking about. I'm happy to meet with members of the clergy, as with others, and explain to them how cruel it would be to do nothing and to carry on with the mismanagement of the last 10 years that has led to massive unemployment, to increased numbers on welfare, to loss of hope, to dependency, and to explain to them that I am confident the programs we are bringing in place will benefit the poor, the homeless, those without jobs, those on welfare, absolutely the most. That is our motive and that's why we're doing what we have to do.

Mr Conway: Premier, given the fact that you and members of your government have said repeatedly in recent months that it is your expectation that the community and certainly church and church-supported groups are going to have to do more to meet the social obligations of our community; and given that a growing number of these church leaders—I have as well a statement from a multi-faith church council here in Ontario which indicates that the Lutherans, the Buddhists, the United Church and a score of other of these churches are saying increasingly that they are scandalized at what you are about these days.

Given that you expect these people to do more, and given that they are saying, more frequently and more

loudly, that they are very alarmed by what you're about, will you give the House today an undertaking that in the very near future you, as leader of the government of Ontario, are going to meet with the church leadership in this province to allay their growing concerns about what you're doing and to satisfy, more particularly, some of the very real issues that they have raised in this correspondence which I have highlighted this afternoon?

Hon Mr Harris: I think it's a good question. There are some—I don't believe the majority in the various church communities—there are some, though, who have bought the bogus line that members of the opposition have tried to sell them that somehow or other what we are doing—paying, for example, 10% on average more than the rest of Canada for welfare recipients, giving them a hand up, letting them earn back the difference—that somehow or other this is cruel; that we are trying to reduce the expenditure of dollars that aren't our dollars in the first place, or these mythical dollars that you were able to borrow from abroad over a period of time.

Anything I can do by way of answering this question, or responding to correspondence, or meeting with members to assure them that the game plan and the motive is to abandon the failed policies of the last 10 years that have abandoned the poor, that have contributed to the number of homeless, to the need for food banks, to the numbers of people on welfare—and that we would move in a new direction to create jobs and hope and prosperity and opportunity.

I might add, although it wasn't part of the question, we do count on those more fortunate in society and those who wish to help those who need a hand up, the churches, the service clubs, communities, neighbours—we do call on them and ask them to assist us in this very difficult challenge.

WORKFARE

Ms Frances Lankin (Beaches-Woodbine): My question is also to the Premier. In a sense it follows on your comments because it's about that hand up.

As I heard you during the election campaign, I think most often you referred to that hand up as your workfare program. And I have to say that I didn't find it terribly surprising today to read in the media that in fact what you were planning was a fairly minimalist approach to workfare, because we've been hearing for several weeks rumours from the ministry that they were scrambling to try to put meat on what was really a skeleton of an idea called workfare.

You referred to community organizations and volunteer organizations and, in fact, the article today said that's your plan, moving to Rotary clubs and others. The Premier will know that the majority of those organizations are, in fact, volunteer; they don't have a cadre of staff. In fact, this morning when we called the Rotary club and the Lions club to try to get some response from them, we got disconnected lines and answering machines. They didn't have staff there—we figured they wouldn't—to answer the phone. We did reach someone at the Kiwanis. In fact, they have two staff for all of eastern Canada and the Caribbean.

1420

My question to the Premier is: How does he expect these organizations that are volunteer organizations to take on the burden of what should be the government's responsibility with respect to their plans for workfare and deliver this hand up in our communities to the people who so badly need it?

Hon Michael D. Harris (Premier): The very direct answer to the member is, we don't expect them to take on all of this program or the government's responsibility, but we are responding to a number of those in service clubs who have written, who have phoned, who have volunteered, who have said to me and to members of our cabinet and to the minister very directly: "We can help. We have the ability, through our fund-raising, to assist." Quite frankly, many of them have told us: "You know, we have hundreds of thousands of dollars in the bank from fund-raising, and in many cases we weren't so sure that the project we were planning to put the money towards"—in some cases it was a rink or it was recreation—"perhaps we should reassess the priorities. Perhaps giving them a hand up could be part of it. Perhaps we could assist in this way."

So I say very directly to the member, if she knows of other community groups or service clubs or churches or non-profit groups or profit groups that are willing to provide some work experience, some jobs, we'd be very interested in hearing from them because we're looking at all options and all ways to put our workfare program into place and give people some work experience and a true hand up.

Ms Lankin: We'd appreciate it if perhaps the Premier would table the list of those groups that have written to him, the lists of the thousands of projects. We're interested if in fact this is part of the plan that you are moving forward with in terms of workfare. We think you should be out there consulting with these groups and finding out if this is actually real, because we've done a bit of research.

In speaking with the Elizabeth Fry Society, for example, in Peel region, they operate a community services program, and you know they have a 180 community agencies on register, the very agencies that you're talking about, the very kinds of community groups that want to be involved in helping out in this way. In that community service program, as they work with those 180 agencies, they are always struggling to try to find enough work for people who are ordered by court to do community service.

Sometimes the community service program coordinator has to go out and supervise. They know it makes more work for their agencies. They're already stretched. They're out there; they have to supervise these people who come in. There are liability issues. If they're out building that rink for you and they fall and get hurt, who covers their workers' compensation? What's the liability to the organization? Questions of suitability: The first two people on the list get sent over, and if they don't show up or if they can't do the job, they get cut from benefits.

The Speaker (Hon Allan K. McLean): Put your question, please.

Ms Lankin: There are a lot of issues here. I'll put my question. I would like to ask him how he thinks his government workfare program is going to find placements for tens of thousands of people in a way that is any easier than the task that's already faced by groups like the Elizabeth Fry Society.

Hon Mr Harris: I can tell you one thing. If we simply do nothing, if we give up, if we abandon these people who are able to work but don't have jobs, who are currently on welfare, as the former government did, if we insist that we'll just pay them to sit home and do nothing, if you think that is acceptable, then we won't be able to help anybody.

Now, are we going to be able to get every able-bodied person on welfare to work tomorrow or even in the first year? Of course not; we understand that. In the campaign, in the lead-up to the campaign and post campaign I said very clearly we're in uncharted waters because for 10 years the Liberal Party and the NDP did nothing here. They insisted that paying people to sit home and do nothing was better than having them do something.

So we are on uncharted waters. We don't have a lot of experience, we don't have a lot of expertise but I'm going to tell you this: One person getting a job and getting work experience who previously was condemned to sit home and do nothing will be a victory and will be a success, and we are confident that we can help many people.

Ms Lankin: If the Premier of this province truly believed that, he would not have cancelled Jobs Ontario Training; he would not have cancelled Jobs Ontario Youth. People were getting back to work. People were getting job experience. Your government, sir, cancelled those programs.

I want to come back to the promise that you made to the people during the election, the promise of a workfare program. You weren't going to just cut benefits. You were going to give people a hand up; you were going to put in place workfare. Where is it? You have cut the benefits, you have not put workfare in place and now you're saying to community organizations, voluntary organizations, not-for-profits, many of whose budgets have been cut and will be cut further by your Finance minister's economic statement, that they're going to have to take on more responsibility, they're going to have to help you implement your workfare program with no resources.

This doesn't come cheap. We agree people need to have training. We agree people need those opportunities. We want to see them get back to work. You're doing nothing to implement a real workfare program. Please share with us, what are your plans and how are these community agencies that are already stretched going to be able to take part in them?

Hon Mr Harris: Let me say that we are consulting. We are listening, as we've been asked to do. We are talking to all kinds of groups: community groups, service groups as well.

I want to say this very directly to the member, that instead of criticizing workfare, instead of knocking it, instead of looking at all the barriers, all the reasons why, "No can do, can't be done, so don't bother trying," that type of negative, defeatist attitude is why we're in the mess we're in in this province, why we have a \$10-billion deficit, why we have a \$100-billion debt.

Might I, Mr Speaker, by way of two final comments to the member say this: Number one, if you want to ask for a reason for Jobs Ontario, check the auditor's report on what a boondoggle and a waste of money that was.

And let me challenge the member to do this: Help us. Work with us. Perhaps when the NDP party is out of the hole, you'll help hire some people and give them a hand up.

BUS TRANSPORTATION

Mr Gilles Pouliot (Lake Nipigon): I have a question, Mr Speaker for, well perhaps a more compassionate minister, that of Transportation.

In a speech to the Ontario Motor Coach Association, Mr Frank D'Onofrio—what Frank does for a living is as follows: He's an employee of the Ministry of Transportation in the capacity of associate director of passenger transportation policy at your ministry, Minister—and I quote, said: "Municipal Affairs Minister Al Leach"—your seatmate—"recently announced a major overall of the Municipal Act, citing that municipal laws are too prescriptive and inflexible."

He goes on to say, "In terms of transportation, this reform has obvious implications for the provision of municipal transit services and for the extended role your industry"—we're talking about the private sector, Ontario Motor Coach Association—"could play. The government wants these changes in place before the next municipal election of 1997"—

The Speaker (Hon Allan K. McLean): Put your question, please.

Mr Pouliot: It's coming, Mr Speaker.

You will be aware, Mr Speaker, that the Municipal Act under subsection 210(104) gives sole jurisdiction vis-à-vis municipal transit to the municipalities. Minister, are you going to allow the private bus industry to grab the most lucrative routes and leave many passengers stranded without service?

Hon Al Palladini (Minister of Transportation): I want to thank the honourable member for the question. Simply to answer the question, definitely no. Just because we are going to deregulate a system that clearly is not working doesn't mean there's going to be losses of routes. You're losing routes now with regulation. So I want to assure the honourable member that this deregulation is going to be done in a very orderly fashion, and we will do probably better, like I said the other day, than what presently you have in place.

1430

Mr Pouliot: Every tenure has its compensation. I sure would not wish to be in the shoes of Mr D'Onofrio. I'm asked to believe who is telling the truth. Is it Frank? Is it the seatmate, Mr Leach? Is it the other minister? Who's telling the truth? I trust Frank is.

I know the minister doesn't use public transit for he is chauffeur-driven. I know that the minister thinks that everyone has a cellular phone. I'm asking by way of a question—

Interjections.

The Speaker: Order. The member's supplementary?

Mr Pouliot: Will you please endeavour to cap the bottles, Mr Speaker?

Will the minister commit that before anything gets done, any changes vis-à-vis public transit, that we will have public hearings and that the customers, the client group, as citizens will be given the guarantee that the service will not be negatively impacted?

Hon Mr Palladini: I just want to say that people who are insinuating or saying that small towns are going to lose their routes should take a look because small towns have already been losing a lot of routes and there are a lot of examples out there. If the honourable member would like to have a list of the routes that have actually been abandoned, I would be more than happy to share that information with him. I'll be happy to send him a letter and tell him exactly how many.

Mr Pouliot: "They should take a look because they're already losing their routes." This is a message of confidence from the chief of transportation in the province of Ontario? It's absurd; absurd indeed.

My final supplementary concerns GO Transit. The minister earlier this week admitted that his government was deregulating the industry. What database are you working from, Minister? What is your plan of attack? What consultation have you had with people who no longer will have the service? Will you please table in this House the database that led to this unbelievable and impractical decision?

Hon Mr Palladini: There has been a lot of collaboration and conversation with the people involved in the industry, the experts who have been presently servicing the province of Ontario. Clearly, the regulations that are in place have not worked for the betterment of Ontarians who do need bus transportation.

Deregulation will open up a lot of barriers and give smaller municipalities the opportunity—give someone the opportunity to be able to—instead of using a 40-passenger bus, possibly a 12-passenger bus would be a lot less costly and still maintain the services of small communities.

TOXIC GAS LEAK

Mr Rick Bartolucci (Sudbury): Last evening there was a very serious toxic gas emission from Inco's acid plant into the Gads Hill, Lockerby and west-end communities of Sudbury. This leak was so severe that emergency patients had to be bused literally by the busload from the memorial hospital to the general hospital. Sadly, one person admitted is still in critical condition. Doctors performing complicated surgery had to use oxygen masks in order to complete the surgery.

The Speaker (Hon Allan K. McLean): Who's the question to?

Mr Bartolucci: My message is simply, through you, Mr Speaker, to the Ministry of Environment and Energy. Although I'm confident that Inco and the Steelworkers will investigate this accident fully, I am concerned about the provincial reaction and response to this incident in light of the government's intention to relax environmental standards.

My question to the minister is, what provincial standards are in place to protect against this type of toxic gas leak so that the workers and the public at large in Sudbury can be protected from poisonous gas leaks?

Hon Brenda Elliott (Minister of Environment and Energy): I thank the honourable member opposite for the question. I would like him to know that my ministry is aware of the unfortunate situation yesterday. My staff and officials are looking into it and we do not yet have all the details available to us, but I will be very pleased to get back to you in the House with the information that you request.

Mr Bartolucci: I believe my request, Madam Minister, is simply for provincial standards. All the investigation in the world in Sudbury isn't going to give us the provincial standards; they should be in place.

But my supplementary concerns the fact that the leak continued for almost 45 minutes. Why did it take so long for the ministry officials to react, what are the standards for reporting the spewing of these life-threatening toxic chemicals by the ministry and will the minister please explain what the procedure is for reaction to these?

Hon Mrs Elliott: Any circumstance such as this is a concern to this government. The health and the safety of the citizens of Ontario is very important to us, and we are concerned when incidents like this occur. The member opposite very likely knows that we have a Spills Action Centre that is available 24 hours around the clock. As I said earlier, we are looking into this matter, and I will be very pleased to share with the member any information that is forthcoming to me with regard to the situation.

NATIVE FRIENDSHIP CENTRES

Mr Howard Hampton (Rainy River): My question is for the minister responsible for native affairs. Minister, your government has cut funding to 29 native friendship centres across the province. Your cuts have focused overwhelmingly on operations and programs that benefited young children and teenagers. As a result, friendship centres across the province are having to lay off staff and they're having to abandon some of those very important services that they provided to young children and teenagers.

At the same time, your government is working away preparing a very large tax cut for higher-income earners. Can you, as minister responsible for native affairs, tell us how you can justify these cuts to kids and to teenagers where there are no other services available for them while you're working away on the tax cut?

Hon Charles Harnick (Attorney General, minister responsible for native affairs): As you have heard repeatedly in this Legislature, the debt that this province has been left with, this legacy of debt, is going to affect every Ontarian. As we struggle to bring the debt down

and into control, we are looking at every single program that the government operates. Unfortunately, that includes programs that involve the Ontario Native Affairs Secretariat, the Ministry of Community and Social Services, the Ministry of Health, the Ministry of Environment and Energy, which all deliver programs to native peoples.

I have been personally to several native friendship centres. I have met personally with the directors of those centres, and they understand very much the situation that the province is in. They also are very concerned to make sure that the government recognizes that native friendship centres deal with problems of native peoples off-reserve.

As we develop a native affairs framework, we have indicated to them that they will be very much part of that development. I am very much aware of the fact that they are trying to keep programs going and in fact are doing so and that they understand the predicament that we have been left in because of your economic policies.

Mr Hampton: Members of the government can talk about deficit and debt all they want. Everybody in Ontario knows it's the tax cut that is driving everything else; it's this desire to hand out money to their wealthy friends that means that injured workers, native people, people on social assistance and people unemployed take less. Everybody knows that, so give up the game.

Minister, you've obviously been to different friendship centres than I've been to. The friendship centre in my home town is having a beans-and-baloney supper tonight to show the kind of diets that you're inflicting on the most vulnerable people in this province. The friendship centre in London is in fact closing its doors. It's going to reopen, but it's closing its doors to show people exactly what's happening.

So I would say to you that people are angry, and the friendship centres are angry. They're angry because their program to help little children has been wiped out; their programs and operations to help teenagers stay out of trouble with the law, to stay out of gasoline sniffing and to have a better future have been wiped out.

1440

Let me ask you again. We know it's all about tax breaks for wealthy people. How do you justify—especially as Attorney General, supposedly having some concern for crime prevention—essentially abandoning these people when you know what very well may happen in terms of further involvement with law enforcement in terms of gasoline sniffing and all those problems? How do you justify it?

Hon Mr Harnick: There have been cuts that have been imposed by the Ministry of Community and Social Services on these programs and those cuts are cuts that have been felt in many sectors across this province.

I have a lot of trouble being lectured to by a person who was a member of a government that, before any talk of any tax cuts even arose, was on line to be bringing in another deficit of \$10.5 billion in one year. If we hadn't taken the steps that we have taken to bring that deficit down to \$8.7 billion in the year and to start to deal with this, we would be on our way to have interest payments in this province, by the turn of the century, of \$20

billion. I tell you, Mr Speaker, that if we had interest payments to pay of \$20 billion, we wouldn't have any social programs in this province.

So we are doing what's necessary to ensure a future for every one of these programs that you would have destroyed, and I won't take any lectures from you as a result of the way you left this province.

The Speaker (Hon Allan K. McLean): The question has been answered.

Hon Mr Harnick: And native peoples to boot.

The Speaker: Order.

WORKERS' COMPENSATION BOARD

Mr John O'Toole (Durham East): Earlier today we had the vote on the second reading of Bill 15, the reform of the WCB. My question is to the minister responsible for workers' compensation reform, the Honourable Cam Jackson.

In September 1993, the Workers' Compensation Board undertook a review of a complex system which rewards employers with good safety records. It was called the new experimental experience rating system. It is my understanding that this situation had a direct influence on the very large unfunded liability of the WCB. Can the minister indicate for me how this impacts on the unfunded liability?

Hon Cameron Jackson (Minister without Portfolio [Workers' Compensation Board]): I want to thank the member for Durham East for his question. It's another example of the very difficult financial situation that the workers' compensation system in this province finds itself in.

The NEER system which is referenced in the question is a process where the board grants a rebate on the assessment premiums paid by companies with good safety records. Unfortunately, we have a problem that has been arising in this province where the rebates have been far greater than the penalties, and it has created an off-balance. That off-balance was \$156 million in 1993 and it is projected to be almost a quarter of a billion dollars for the 1994 accident year.

This is a serious revenue leakage for the board. It is a serious problem because the current bipartite board failed to balance off the penalties with the rebates. It has created a terrible operating problem for the board's operations and has hurt the unfunded liability goals of getting that down from its current \$11.4-billion unfunded liability position.

Mr O'Toole: As a previous employee of General Motors, I've worked with injured workers and I'm very concerned by the comments of the minister. People from my riding are concerned about the issue and want to see this financial drain on the system addressed. Can the minister indicate that he will continue to address this issue and make it a priority in his review?

Hon Mr Jackson: This government was elected in order to make very positive changes to the Workers' Compensation Board to reverse the direction of this unfunded liability.

I want to say at the outset that we support the concept of experience rating. We think it contributes to safer

work environments for the men and women in this province. But we also believe that we need now to respond to the changing nature of work and the need to encourage effective practices for workplace health and safety in this province.

I want to assure the member, who has raised the question on behalf of the working men and women in his riding, that this quarter of a billion dollar off-balance problem, this revenue leakage, will be dealt with by our review and that it will form part of the consultations this government is going to undertake on this very important compensation program for injured workers in Ontario.

FRAUD HOTLINE

Mr Gerry Phillips (Scarborough-Agincourt): My question is to the Minister of Finance. We were interested yesterday to see that you're planning to institute a snitch line for tax cheaters and I guess we'd like to get some more details on this.

Clearly, the model you've given to Ontario is the one you've used to try and hunt down welfare fraud. We know you've prepared this bulletin, that you want it stapled up in post offices and arenas and government buildings around, and you've got a very catchy 1-800 number here. So we know you've perfected this process for tracking down welfare fraud. Can we assume that the program you will institute for tax fraud will carry the same type of poster and will you have a similar kind of catchy 1-800 number so that people can attack tax fraud in the same way you want them to attack welfare fraud?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): What I said yesterday when I was scrummed after question period was that we would consider a hotline, along with a whole host of other measures, so we can come back with a comprehensive plan to respond to the Provincial Auditor's report, and that's exactly what we plan on doing.

Mr Phillips: The reason we pursue it is that tax fraud, according to the auditor, is 10 times more serious than welfare fraud. Now, you've put the government resources behind attacking welfare fraud. In fact, what the Minister of Community and Social Services, Mr Tsubouchi, did, just so the minister will remember, is he sent a letter out to all of his colleagues around the province.

Among other things, it said: "Listen, we've got this poster here. We want you to go out in the neighbourhood, in the public buildings. Get it stapled up. Hunt down those welfare fraud people." It says, in addition, it isn't just people who you know are committing welfare fraud; it's people you suspect of welfare fraud. Even the suspects have to be hunted down.

The auditor said tax fraud is 10 times the size of welfare fraud. You have said that you are going to institute a full program for it. Can we assume that the program you instituted for welfare fraud, the well-tested program you believe in strongly, with a letter to the colleagues, can we assume we will see the same program and can we assume that we will see a "Dear Colleague" letter from you going out to the chambers of commerce, the Canadian Federation of Independent Business, the Albany Club, urging them to post the same sort of posters

around the community that you ask people to post to go after welfare fraud? Can we make that assumption?

Hon Mr Eves: If I were the honourable member, I wouldn't assume anything. As I said, we are looking at a comprehensive response to the Provincial Auditor's report to respond to his concerns, not only to retail sales tax but to other concerns as well. We will look at what the Provincial Auditor's report said very seriously and come back with a comprehensive package to address it.

LANDFILL

Ms Marilyn Churley (Riverdale): My question is for the Minister of Environment and Energy. The citizens of Flamborough, the Hamilton-Wentworth regional government, and last but not least at all, the member for Wentworth North, have all expressed their strong opposition to the proposal by Redland Quarries to build a mega-dump in their community. The Environmental Assessment Board ruled against the dump, citing, among other things, and I quote, "unacceptable risk to local groundwater and surface water resources." Redland Quarries has appealed this decision to cabinet. I'd like to ask the minister, could she tell us if she thinks the board decision on this EA should be overturned?

Hon Brenda Elliott (Minister of Environment and Energy): The Redland example the member opposite speaks of is another example of the kind of searches for landfills that have plagued this province for the past few years: expensive, unpredictable and very distressing to all residents involved, as well as troublesome to the municipalities. Redland has submitted an appeal to cabinet—she's quite right as to that—and asked for a review of the board's decision in this matter. As she is aware, the matter will be dealt with at cabinet level. It has not yet come before cabinet.

1450

Ms Churley: I find that answer really alarming in two aspects. Number one, she's already made a comment on her position on the decision cabinet should make, and on September 9 she made several comments to a newspaper on her position on what should happen in this decision before it ever comes to cabinet. She's gone public with that. She's made comments here in the House today.

When the Premier was asked this question a while ago by my colleague from the Liberal Party, the Premier said, and I'd like to quote him, "If there has been a request, a petition to cabinet, then cabinet must receive that petition and in a judicial way rule on it." I would say to the minister that she has already prejudged the outcome of that result today. She may not have broken any law here by making her feelings known about it.

I would also say to the minister that whether or not she thinks the decision made sense in terms of the process, if she looks at the ruling, they made very good environmental reasons why it should not ever be approved.

But what I'd like to ask her is, doesn't she think she's already influenced the decision by making a comment already on this?

Hon Mrs Elliott: I have not made a decision as to how that issue should be dealt with before cabinet. Cabinet will review that issue carefully, I'm very confi-

dent of that, and the members of cabinet will make a thorough and thoughtful decision with regard to this appeal.

JOBS ONTARIO COMMUNITY ACTION

Mr Douglas B. Ford (Etobicoke-Humber): My question is for the Minister of Economic Development, Trade and Tourism. The auditor's report identified a number of serious concerns with the way the previous government administered the Jobs Ontario Community Action program. Will the minister inform the Legislature what this government is doing to ensure that the committed JOCA money is being properly spent?

Hon William Saunderson (Minister of Economic Development, Trade and Tourism): I'd like to thank the member for Etobicoke-Humber for the question, because it's something I do wish to inform the House about. I'm sure the official opposition will be very interested in my response and I would imagine that the third party could be quite embarrassed.

Having said all that, the auditor did identify some very appalling deficiencies in the whole JOCA programs. It identified such things as undefined project goals, undefined obligations, inadequate or non-existent cost estimates and weak project monitoring.

My ministry has strengthened its monitoring procedures to ensure that all projects are in compliance with the individual grant agreements, and as the lead minister of JOCA, I have asked the other ministers involved in the program to ensure that, first, project monitoring is brought up to standard; second, no further payments are made until individual legal agreements are reviewed to determine compliance; and third, but not least, that taxpayers' funds are recovered wherever possible and wherever appropriate.

Mr Ford: In light of the auditor's report and its recommendations, how will this government administer its programs and projects differently from the previous government?

Hon Mr Saunderson: In reply again to the member for Etobicoke-Humber, I wish to tell him that sound business principles will certainly be applied, that strict accounting procedures will be followed completely, that careful and thorough monitoring of all new and ongoing projects will continue, and unlike the previous two governments, we will show some respect for the hardworking Ontarians and the tax dollars they have paid.

PLANT CLOSURE

Mr James J. Bradley (St Catharines): I have a question for the Premier. When you announced the makeup of your cabinet and with a good deal of fanfare your speech from the throne, you talked about the fact that Ontario was open for business, and Ontario being open for business, we're going to have all kinds of plants coming to Ontario and the exodus of plants, it was presumed, would end.

Today Foster Wheeler in St Catharines, a very major concern, announced that it was moving its industrial steam boiler products division to Dansville, New York, with 180 full-time jobs disappearing. Could you tell me what you are prepared to do to reverse this decision on

the part of the plant, or are we simply to allow it to move to the United States with 180 permanent jobs, many of the people involved being long-time employees of Foster Wheeler?

Hon Michael D. Harris (Premier): I very much appreciate the question, and obviously we weren't elected soon enough to stop the exodus completely out of the province of Ontario. There is no question that hundreds, if not thousands, of companies and CEOs had said to me for the previous two years before the election: "If the government doesn't change, if the policies don't change, we are out of here. We're going to a jurisdiction where we can make a buck, where our investment is welcome, where the red carpet is thrown out instead of red tape."

I want to say to the member, we regret we weren't elected sooner so we could have stopped some of these plans by all companies. We know we have stopped the plans by a number of companies and have seen reinvestments by some. If the question is, will I call the company, yes, I will. I will tell them our plans for the future, and once they know that, perhaps if the decision isn't irreversible on the basis of the last 10-year record, we can do something.

But indeed it distresses me if one company believes that we are not going to reverse the direction of the last 10 years and before we finish make sure that Ontario is the number one jurisdiction in the world in which to locate and invest and create jobs. That concerns me.

Mr Bradley: I don't think that answer will be very comforting to the member for St Catharines-Brock or the member for Lincoln or the other members for the Niagara Peninsula, with a lot of bravado being introduced and blaming somebody else. You've been in power now for five months and it seems to me—one thing I want to give you credit for, Premier—you have clearly indicated the direction in which you wish to take the province, and the corporate sector in this province would recognize that direction.

You're making changes to various acts, you're removing some of the legislation that you believe was detrimental introduced by the NDP, and yet you have a major concern in St Catharines taking a hike to Dansville, New York, and consolidating its operations there.

Premier, will you instruct the minister of industry, trade and technology, or whatever name we use today, Economic Development, to meet immediately with the company to provide any assistance in terms of logistics and any arguments that are necessary to try to persuade the company to retain its 180 jobs in St Catharines, jobs that are of great concern to anybody regardless of how they voted in the last election?

Hon Mr Harris: I'll do better than that. I'll call the company myself, personally. Because perhaps, if the reason they're moving is the slightest bit of doubt that we're serious about balancing the books, about getting our affairs in order, about reforming WCB, about removing all those barriers that the NDP and the Liberal Party put up in the last 10 years, I want to make sure we correct that record.

Let me say two things to the member. Your leader said on May 19, 1995, "Balancing the budget is the single most important thing we can do to create a climate that

will attract investment...encourage job creation in the private sector." Yet every time we cut five cents out of a \$10-billion deficit, you, your members, your leader, are on your feet saying: "Don't cut this; don't cut that. Spend more here. Don't balance the budget. Don't get the finances in order. Carry on the irresponsible ways that we and the NDP did."

There are a number of companies down your way that do understand the agenda, companies that are talking in the Niagara region economic development department. Things are looking up: Niagara Parks Commission, started an \$11.5-million concern in Niagara Falls; Ontario Hydro; Cyro Canada; Iona Appliances; Atlas Specialty Steels; Whiting Equipment of Welland; Port Weller Dry Docks; Neville Classic Candles; Canadian Tire Acceptance of Welland; Alliance Call Centre Services—

Interjections.

The Speaker (Hon Allan K. McLean): Order, the question has been answered.

1500

TAX EVASION

Ms Frances Lankin (Beaches-Woodbine): My question is to the Minister of Finance. Minister, you will remember the infamous videotape of your colleague the Minister of Education and Training when he was recorded speaking to some of the senior ministry staff. It was reported on September 13 in the Windsor Star and other papers.

In that tape, he points out to senior ministry officials that it is the goal of businesses to avoid paying taxes. He said: "You know, the goal of private business, a privately owned business, you know what it is? To break higher and higher each year, and I can tell you I did that for a while. I've been fighting taxes for years."

Let me say to the minister, you say you take the problem of tax cheating quite seriously. Will the Minister of Finance confirm his commitment to collecting unpaid taxes in the system and audit the three companies of which the Minister of Education was president?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): I think the honourable member knows quite well that her question is quite inappropriate, to start directing individual companies to be audited. I think there's a big difference that I should point out to the honourable member. There is a big difference between tax fraud and cheating on taxation and trying to make more and more money to improve your bottom line every year.

Ms Lankin: As soon as the minister institutes his snitch line I'll call him with that recommendation and then maybe he'll send his auditors to the minister's three companies and audit them.

I want to say to you that the minister yesterday said the Provincial Auditor was concerned about the collection of taxes, and that he was in fact. I reviewed that report, and the Provincial Auditor said that in fact progress was being made but more had to be done, and I agree with him on that.

Project Fair Share was in place and in its first two years of operation the increased number of auditors who

were there collected over \$81 million more in taxes. Project Fair Share had budgeted for more auditors and the hiring plans were in place. You, sir, in July put that on hold and cancelled that expansion of staff. The unified reporting program was to come in in January 1996. That would have streamlined remission of taxes for business. You, sir, put that on hold.

I want to know how committed you are to going after the collection of unpaid taxes. Will you commit to us that you will reinstate both Project Fair Share and the unified reporting system?

Hon Mr Eves: The honourable member talks about Project Fair Share and she's quite correct with respect to the fact that her government initiated the project and put it into place. She also will be quite aware that 35 of the 107 positions were set aside for retail sales tax auditors, and her government didn't bother to fill 21 of the 35 when they were in office. She will know that she didn't bother to do that when she was—

Ms Lankin: That's not true.

Hon Mr Eves: It is true. You did not fill 21 of the 35 positions and you know that is a fact. I know it's an unacceptable fact for you, but you didn't fill them.

There's a difference also between the positions that your leader was talking about yesterday in the memo that he subsequently set aside. Of the positions he was talking about, not a single one has to do with retail sales tax auditors—not one. Yet he left the impression, and asked the question yesterday, as if every single one of them did. He knew that was totally factually incorrect and left a totally false impression.

MOTIONS

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): I move that Mr Conway and Mr Agostino exchange places in the order of precedence for private members' public business.

The Speaker (Hon Allan K. McLean): Is it the pleasure of the House that the motion carry? Carried.

PETITIONS

HOSPITAL RESTRUCTURING

Mr Monte Kwinter (Wilson Heights): I have a petition to the Legislative Assembly of Ontario.

"Whereas the final report of the Metropolitan Toronto District Health Council hospital restructuring committee has recommended that North York Branson Hospital merge with York-Finch Hospital;

"Whereas this recommendation will remove emergency and inpatient services currently provided by North York Branson Hospital, which will seriously jeopardize medical care and the quality of health for the growing population which the hospital serves, many being elderly people who in numerous cases require treatment for life-threatening medical conditions;

"We petition the Legislative Assembly of Ontario to reject the recommendation contained within the report of the Metropolitan Toronto District Health Council hospital restructuring committee as it pertains to North York

Branson Hospital so that it retains, at minimum, emergency and inpatient services."

I have affixed my signature to this petition.

MINISTER'S COMMENTS

Ms Marilyn Churley (Riverdale): I have a petition to the Legislative Assembly of Ontario.

"Whereas six women present at a meeting held by minister responsible for women's issues Dianne Cunningham at her constituency office on October 25, 1995, agreed that they heard the minister state, 'Within the context of this government, you need to understand that groups or agencies that are seen not to be working with this government, providing an oppositional voice...will be audited and their funding eliminated;' and

"Whereas the minister responsible for women's issues denies having made this statement; and

"Whereas the minister's credibility and all future actions and statements will be clouded by these discrepancies;

"Therefore, we, the undersigned, request that the government establish a legislative committee to determine whether the minister responsible for women's issues abused her authority as a minister of the crown by making threatening and intimidating remarks at the meeting described above."

I will affix my signature to this petition.

DRIVER EXAMINATIONS FOR SENIORS

Mr Leo Jordan (Lanark-Renfrew): I have a petition to the Parliament of Ontario.

"Whereas Ontario seniors, upon reaching the age of 80, are currently required by legislation to take written and practical examinations by the Ministry of Transportation in order to continue driving; and

"Whereas these examinations have placed unnecessary stress and anxiety upon seniors which have resulted in heart attacks and even heart failure; and

"Whereas medical doctors and family members are fully able to assess the health and driving abilities of seniors above the age of 80 relative to highways below the 400-level series roads;

"We, the undersigned, petition the Parliament of Ontario as follows:

"That the Ontario government permit senior citizens who have reached the age of 80 to continue driving on roads under the 400 series provided they have obtained the approval from either their family members or their physician."

I affix my signature to that petition.

CONTROL OF SMOKING

Mr Dominic Agostino (Hamilton East): I will read it as is.

"We, the undersigned, feel that removing the designated smoking area which was located in front of St Cinnamon in the Centre Mall located in Hamilton as of Friday, June 30, 1995, is unfair and should be changed back to a designated area.

"As staff and customers of the mall, we have abided by the laws and use this area for smoking. Those who do

not smoke feel there should be an area provided for those who wish to smoke. We understand the owners of the establishment requested a designated smoking area in front of their store and purchased tables and chairs to serve their customers, over a year ago. This service is greatly appreciated by all of us as we are on our feet all day. It is nice to be able to sit down and relax with a cup of coffee for a few minutes and have a cigarette if we choose to. We also understand, through information provided to us, that we can go to Mmmuffins if we choose to, as they are being allowed to maintain their smoking area. This is unfair and unjust. The law is allowing one establishment, at the other end of the mall, to maintain their customers and provide them with a service which you are moving from us. We feel this location is now at a disadvantage both saleswise and also in maintaining the business of customers who frequent this location daily," and we urge that the legislation to be changed.

SKERRYVORE ROAD ACCESS

Mr Bill Grimmett (Muskoka-Georgian Bay): I'd like to present a petition on behalf of 1,372 residents of the riding represented by the member for Parry Sound. This petition concerns the issue of Skerryvore road access. I'll read the applicable paragraphs.

"Skerryvore residents, denied access to their properties, are asking the Ontario government to provide them with a new road into Skerryvore.

"Residents are asking for your support on this issue. By signing this petition you are indicating that you support the residents of Skerryvore in this endeavour."

I have affixed my signature.

HIGHWAY SAFETY

Mr Michael Gravelle (Port Arthur): The people of northern Ontario continue to be outraged by the cuts to winter road maintenance put forward by the Minister of Transportation. My petition reads:

"Whereas the Ministry of Transportation is intent on reducing northern winter road maintenance services; and

"Whereas such downgrading places the lives of northern residents at undue and unnecessary risk;

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow these reductions in service and to guarantee that winter roads across the northern regions of the province receive the necessary maintenance to ensure the safe passage of drivers."

I am proud to sign my signature to the petition.

1510

TEACHER TRAINING

Mr David Tilson (Dufferin-Peel): I have a petition from the secondary school teachers of Dufferin county.

"We, the undersigned, as educators of Dufferin county secondary schools and members of District 48, OSSTF, petition the government of Ontario and the members of the provincial Parliament of Ontario to oppose the recommendations of the implementation task force on the Ontario College of Teachers. We find the recommendations contained in the aforementioned report are not made in the best interests of education and sound paedocology.

"The recommendations put public accountability ahead of good professional practice by removing the responsibility for professional growth and conduct from our federation. Indeed, we find the proposals made by the Ontario Teachers' Federation to assume the governance of the college of teachers to be quite appropriate. We find it ironic that the report from the task force would create a college of teachers as a multimillion-dollar bureaucracy at a time when restraint and cost-effective management are emphasized as the foundation in the Common Sense Revolution. Surely these recommendations do not constitute practical reforms.

"We therefore respectfully submit this petition to the Legislature of Ontario as an expression of our concerns for the future integrity of education in Ontario on this date, the 6th of November 1995."

SUDBURY ACTION CENTRE FOR YOUTH

Mr Rick Bartolucci (Sudbury): The petition is to the Legislative Assembly of Ontario.

"Whereas the Sudbury Action Centre for Youth has helped nearly 130,000 people since 1986; and

"Whereas more than 35,000 youths have come to the centre for various services; and

"Whereas nearly 10,000 people have filled casual, full- or part-time jobs; and

"Whereas 372 youths have returned to school; and

"Whereas the government of Ontario has decided to close community youth support programs, including the Sudbury Action Centre for Youth,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario continue to fund the Sudbury Action Centre for Youth."

I have proudly affixed my name to this petition.

TEACHER TRAINING

Mr David Tilson (Dufferin-Peel): I have a petition from the elementary school teachers of Dufferin county.

"We, the undersigned, as educators of Dufferin county elementary schools and members of OPSTF, Dufferin district of the Dufferin Women's Teachers Association, petition the government of Ontario and members of the provincial Parliament of Ontario to oppose the recommendations of the implementation task force in the Ontario College of Teachers.

"We find the recommendations contained in the aforementioned report are not made in the best interests of either public education or teachers. Indeed, we find the proposals made by the Ontario Teachers' Federation to assume the governance of a college of teachers to be quite appropriate. We find it difficult to accept that the report from the task force would create a college of teachers as a multimillion-dollar bureaucracy at a time when restraint and cost-effective management are clearly emphasized in the foundation in the Common Sense Revolution. Surely these recommendations do not constitute practical reforms.

"We therefore respectfully submit this petition to the Ontario Legislature as an expression of our concerns for education in Ontario."

HIGHWAY SAFETY

Mr Rick Bartolucci (Sudbury): Again, I'm happy to present this petition on this very, very serious concern we have with regard to northern Ontario highways.

To the Legislative Assembly of Ontario:

"Whereas the Ministry of Transportation is intent on reducing northern winter road maintenance services; and

"Whereas such downgrading places the lives of northern residents at undue and unnecessary risk,

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow these reductions in service and to guarantee that winter roads across the northern regions of the province receive the necessary maintenance to ensure the safe passage of drivers."

I proudly affix my name to the petition.

Mr Michael Gravelle (Port Arthur): I have another petition on the same subject, a different petition.

"Where as the Ministry of Transportation is intent on reducing northern winter road maintenance services; and

"Whereas such downgrading places the lives of northern residents at undue and unnecessary risk,

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow these reductions in service and to guarantee that winter roads across the northern regions of the province receive the necessary maintenance to

ensure the safe passage of drivers."

I'm proud to sign my signature to this as well.

KARLA HOMOLKA

Mr James J. Bradley (St Catharines): This is to the Legislative Assembly of Ontario.

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand a public inquiry into the conduct of all crown and law enforcement officials and employees at all levels involved in the investigation of Karla Homolka, and in particular the circumstances of the negotiation of the plea-bargain arrangement. We also demand that all day passes and other privileges be revoked and her full 12-year sentence be served in its entirety."

The Speaker will know that part of this has been acted upon in the statement of the Attorney General. I affix my signature to this petition.

The Acting Speaker (Ms Marilyn Churley): Further petitions? Seeing none, we will move on to reports by committees. Reports by committees? Introduction of bills?

Seeing none, as previously agreed by this House, routine proceedings having been completed, this House stands adjourned until Monday at 1:30 pm.

The House adjourned at 1516.

CONTENTS

Friday 17 November 1995

SECOND READINGS

Workers' Compensation and Occupational Health and Safety Amendment Act, 1995, Bill 15,	
<i>Mrs Witmer</i>	
Mr Tascona	819, 821
Mr Bisson	820, 823, 829, 837
Mrs Marland	820, 828
Mr Crozier	821, 824, 833
Mr Silipo	821, 833, 836
Ms Castrilli	821, 824
Mr Hastings	823
Mr Wildman	824
Ms Martel	825, 830
Mr Phillips	829
Mr Baird	829, 837
Mr Spina	830, 833
Mr Agostino	832, 834, 838
Mr O'Toole	833
Mr Duncan	837
Agreed to	839

MEMBERS' STATEMENTS

Diabetes celebrity challenge	
Mr Gravelle	839
Home care	
Ms Churley	839
Teachers of the Year	
Mr Ford	840
Toronto Raptors	
Mr Sergio	840
OPP cutbacks	
Mr Pouliot	840
Development in Stratford	
Mr Bert Johnson	840
Greater Toronto area	
Mr Colle	840
Day care	
Mr Marchese	841
Young Citizen of the Year award	
Mr Sampson	841

STATEMENTS BY THE MINISTRY AND RESPONSES

Land cautions in Temagami	
Mr Harnick	841
Mr Bradley	842
Ms Martel	842

ORAL QUESTIONS

Crime prevention	
Mr Bradley	843
Mr Runciman	843
Social assistance	
Mr Conway	844
Mr Harris	844
Workfare	
Ms Lankin	845
Mr Harris	846
Bus transportation	
Mr Pouliot	847
Mr Palladini	847
Toxic gas leak	
Mr Bartolucci	847
Mrs Elliott	848
Native friendship centres	
Mr Hampton	848
Mr Harnick	848
Workers' Compensation Board	
Mr O'Toole	849
Mr Jackson	849
Fraud hotline	
Mr Phillips	849
Mr Eves	849
Landfill	
Ms Churley	850
Mrs Elliott	850
Jobs Ontario Community Action	
Mr Ford	850
Mr Saunderson	850
Plant closure	
Mr Bradley	850
Mr Harris	851

Tax evasion

Ms Lankin	851
Mr Eves	851

MOTIONS

Private members' public business	
Mr Eves	852
Agreed to	852

PETITIONS

Hospital restructuring	
Mr Kwinter	852
Minister's comments	
Ms Churley	852
Driver examinations for seniors	
Mr Jordan	852
Control of smoking	
Mr Agostino	852
Skerryvore road access	
Mr Grimmett	853
Highway safety	
Mr Gravelle	853, 854
Mr Bartolucci	854
Teacher training	
Mr Tilson	853
Sudbury Action Centre for Youth	
Mr Bartolucci	853
Karla Homolka	
Mr Bradley	854

TABLE DES MATIÈRES

Vendredi 17 novembre 1995

DEUXIÈME LECTURE

Loi de 1995 modifiant la Loi sur les accidents du travail et la Loi sur la santé et la sécurité au travail, projet de loi 15,	
<i>M^{me} Witmer</i>	
Adoptée	839

Govt. Library

Government
Publications



N° 26

No. 26

ISSN 1180-2987

Legislative Assembly
of Ontario

First Session, 36th Parliament

Assemblée législative
de l'Ontario

Première session, 36^e législature

Official Report of Debates (Hansard)

Journal des débats (Hansard)

Monday 20 November 1995

Lundi 20 novembre 1995

Speaker
Honourable Allan K. McLean

Clerk
Claude L. DesRosiers

Président
L'honorable Allan K. McLean

Greffier
Claude L. DesRosiers

Hansard on your computer

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. For a brochure describing the service, call 416-325-3942.

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-7411.

Subscriptions

Subscription information may be obtained from: Sessional Subscription Service, Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur votre ordinateur

Le Journal des débats et d'autres documents de l'Assemblée législative pourront paraître sur l'écran de votre ordinateur personnel en quelques heures seulement après la séance. Pour obtenir une brochure décrivant le service, téléphoner au 416-325-3942.

Renseignements sur l'Index

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-7411.

Abonnements

Pour les abonnements, veuillez prendre contact avec le Service d'abonnement parlementaire, Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311 ou, sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 20 November 1995

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 20 novembre 1995

The House met at 1332.

Prayers.

PORTRAIT OF FORMER SPEAKER

The Speaker (Hon Allan K. McLean): Before beginning the business of the House this afternoon, may I remind all honourable members of the unveiling of the portrait of the former Speaker, Mr David Warner. The unveiling will take place in the lobby of the building at the grand staircase at 6:15 this evening.

In the past, the proceedings of the unveiling ceremony have been recorded by Hansard. Would it be the wish of the House to include this as an appendix to Hansard? Agreed.

MEMBERS' STATEMENTS

OATH OF ALLEGIANCE

Mr Dominic Agostino (Hamilton East): Later today I will introduce a private member's bill entitled An Act to provide for an Oath of Allegiance for the Members of the Legislative Assembly. This bill, if approved by my colleagues in the Legislature, will require elected members of this House to swear allegiance to both the Queen and our country, Canada. Never in our country's history has it been more important that we as leaders in our communities stand up and speak out about our love for and our allegiance to our country, Canada.

When I was in Montreal for the unity rally in October, I was struck by the hundreds of thousands of Canadians who were taking the time to speak out for Canada, thousands of people taking time to say, "I'm proud to be a Canadian." It was a very powerful message and an important message in the history of our country.

I feel that as leaders in our community today taking an oath of office, we should also state how proud we are to live and serve in this wonderful country. We can become the first legislative body in Canada in which members take an oath of allegiance to Canada. I am encouraged by the fact that the Premier has supported such a concept in the past, and I hope that all members will support this endeavour.

I'd like to stress that the tradition of the oath including the Queen is very important to me. My intention is not to take anything away from the significance of the Queen, but to have a stronger oath which includes and makes reference to Her Majesty Queen Elizabeth II and to Canada.

I'm hopeful that together, in the spirit of unity, we too can change our oath of office to include Canada. I urge members of the House to support the bill.

HIGHWAY ACCIDENT

Mr Bud Wildman (Algoma): I rise again to call the attention of the Solicitor General and members of the

House to the need for a coroner's inquest into the death of Miss Kim Butler, and now unfortunately her daughter, Amanda, as a result of the accident that took place near Whitefish on Highway 17 a couple of weeks ago.

As has been stated in this House, prior to the cutbacks taking effect in highway maintenance, this accident occurred many hours after the storm had subsided in good weather conditions, but unfortunately the highway was still not clear. It was still in a horrendous condition, according to the investigating OPP officers.

It is really important that there be an independent inquiry, a coroner's inquest, that will tell not only the members of the family and other residents of northern Ontario, but all of us, what the possible causes were of this accident and what changes should be done in terms of highway maintenance in future to avoid similar accidents if possible.

I reiterate the need for a coroner's inquest and I would hope that the Solicitor General would use his office to ensure such an inquest is held into the deaths of both members of the Butler family.

HURON COUNTY

Mrs Helen Johns (Huron): As another year's harvest comes to an end, I am reminded of the hardworking people of my riding, Huron county. John Galt was the founding member of the Canada Co, and he originally envisioned the settlement of Huron county as an agricultural experiment. Today, Huron county is the most productive county in Ontario and a world leader in numerous areas of agricultural technology and innovation.

Huron county is an agricultural leader in gross farm receipts, acres of farm land, number of farms, hens, pullets, white beans, winter wheat, barley and rutabagas.

Almost one fifth of the Huron county labour force is directly employed by agriculture, making it the most prominent Canadian agricultural region east of Winnipeg. Agriculture offers a wide variety of rewarding jobs and opportunities to the residents of Huron county. Huron county farmers are finding innovative ways to add value to their farm products and to supplement their farm income. Huron county agriculture is something for us to be proud of.

SERVICES FOR ABUSED WOMEN

Mrs Elinor Caplan (Orillia): This past weekend the Ontario Association of Interval and Transition Houses held a membership meeting to discuss the recent Harris government cuts to first- and second-stage housing shelters. Today at a downtown hotel OAITH held a press conference to respond to the Harris government's unprecedented attack on abused, vulnerable women and their children here in Ontario.

The Ontario Association of Interval and Transition Houses represents 67 front-line emergency shelters and services for abused women and their children across this province. OAITH did not escape the axe of the Harris government and had its funding cut by 100%. Adding insult to injury, or should I say insult to their demise, this cruel cut came on the eve of Wife Assault Prevention Month.

In Ontario, we have witnessed the most ruthless cuts to people who need them most: vulnerable women and their vulnerable children. The government has displayed a total lack of regard towards abused women, which was clearly illustrated in their refusal to acknowledge Wife Assault Prevention Month until it was pointed out by the opposition.

It is time that this government stood up for abused women and gave them the hand up that the Premier frequently speaks about, rather than continuing to push them down and to remove and cut their safety net, which they need to have the support to get on with their lives.

1340

YOUTH SERVICES

Ms Shelley Martel (Sudbury East): I'd like to remind the Premier today of yet another organization in the Sudbury area which has been hit by Conservative funding cuts.

In 1986, the John Howard Society of Sudbury began a community youth support project to serve special-needs youth who were at risk of long-term dependency on the welfare system. The aim was to assist these young people in preparing for and gaining employment.

To this end, the project involved counselling services to encourage youth to stay in school, support for young people who had left the formal educational system but wanted to access upgrading and vocational programs and links to youth employment services to provide job-readiness training.

The project also focused on dealing with substance abuse of clients and assisting young people in conflict with family, school, society and the law. Support was provided to youth incarcerated at Cecil Fraser Youth Centre, Cedar Youth Residence and Nor-Kap who were due for release in the near future.

This project has benefited thousands of Sudbury and area youth, most of whom were living alone in hostels and who were at risk of long-term dependency on the system because they had neither the social, emotional nor educational skills to stay employed. The cancellation of funds for this youth support project puts these young people back at risk.

The board of directors and the staff of the John Howard Society would like Mike Harris to visit them when he is in Sudbury on November 24 to see first hand the work being done. They can't afford to pay \$125 to attend the Tory fund-raiser, so they hope he'll visit them at Passi House. The executive director, Mr John Rimore, is in the members' gallery today, and we invite the Premier to come and we hope that he will.

SOCIAL ASSISTANCE

Mr Ron Johnson (Brantford): I have here some of the latest statistics out of Brantford on the welfare caseloads. Needless to say, I have some very good news to report to the Legislature today.

On June 8, when the people of Ontario decided to elect a new and vibrant government with some fresh ideas, we were sitting at 2,607 welfare caseloads in my community. Since then, in five short months, that has dropped to 2,133, nearly 500 caseloads fewer at a time when caseloads have generally risen as the result of the end of seasonal employment.

I can see the Honourable Mr Rae over there shaking his head. I'd just like to tell him that in 1990 there were 1,200—

Mr Bob Rae (York South): On a point of order, Mr Speaker: I want to assure the honourable member, since it's going to be in Hansard, that my head was not shaking, and if it was he would have been able to hear it.

Mr Ron Johnson: I'm going to tell him these numbers anyway. In 1990, there were 1,200 on welfare in our community. That has since risen, under his government, to over 3,500. I can tell you that they sit over there and they lecture us on welfare reform, but really the only thing they knew how to do was increase the size of a welfare cheque and put more people on the dole.

HOSPITAL RESTRUCTURING

Mr Mario Sergio (Yorkview): It should come as no surprise to any observer of Ontario politics that the Harris government commitment to restructuring hospitals and health care facilities is going to hurt many people in this province. But frankly, when the government priorities begin to seriously affect the most vulnerable people in society—I'm speaking of children—then maybe it is time for the government to rethink its priorities.

Last week, I received a letter from Dr Ogilvie, a doctor who specializes in paediatric care. Dr Ogilvie expressed concern over the impact the planned Tory closure of hospitals will have on the delivery of health care services within the province, especially the impact the cuts will have on children's paediatric inpatient care. Dr Ogilvie notes that there has been a shift for more demand with respect to health care services for paediatric patients.

In view of the changes taking place at the Hospital for Sick Children, this has resulted in a shift of numerous paediatric ear, nose and throat care cases being transferred to peripheral hospitals such as North York Branson Hospital. As you know, Branson is on the Tory hit list.

The problem is serious. The shift in children's inpatient treatment to hospitals like Branson will be seriously undermined if and when the government finalizes its restructuring plans. It is therefore becoming—

The Speaker (Hon Allan K. McLean): The member's time has expired. Order.

CHILD CARE

Mr Peter Kormos (Welland-Thorold): I'm happy to see the Minister of Community and Social Services here, back from Las Vegas. He's got a damn peculiar idea about what it means to support the Ontario economy.

But he's got a lot of answering to do to folks down in Welland-Thorold and throughout the province who are running scared now, real scared, about what this government's cuts are going to do to public day care across the province of Ontario, and certainly the fear that's being expressed pretty consistently and far and wide by parents whose children are being taken care of on a daily basis at the regional day care centre in Welland: people like Lynda Welsh, who's got her two-and-a-half-year-old daughter Mandy at the regional day care, who's currently full-time at school in the adult learning centre, taking accounting and other programs that are going to enable her to have some modest competitiveness in the workforce if only there were jobs there—it's simply going to be impossible for her to follow through with that training if this government, by its mean-spirited and stingy and nasty attitude towards day care, takes away that spot for her child—people like Pattie Jamieson, again of Welland, who's working out of town for \$7.65 an hour, who wants to be able to keep on doing it but needs regional day care services subsidized, if you will, if she's going to keep that employment and maintain the level of dignity that she's worked hard to achieve; people like Kimberly Wilson, with a four-year-old child at the regional Welland child care centre, real concerned about the prospect of cuts.

Maybe Mr Tsubouchi had better leave the slot machines for a few minutes and pay attention to what these people are talking about.

CHILD DAY

Mrs Janet Ecker (Durham West): Today Canadians are celebrating national Child Day. This is a day for all Canadians to reflect upon the importance of children and how we can ensure they receive the best of care.

I have recently been charged with the responsibility of reviewing Ontario's child care program and recommending a reform strategy to the Minister of Community and Social Services. Through this process I will be consulting with stakeholders throughout the province. My goal is to bring forward options for child care that parents and taxpayers can afford. In our dialogue the table will be open to options that use our resources as effectively as possible, ensure parental choice, encourage quality and balance the need for public and private modes of delivery.

Contrary to the speculation encouraged by the opposition, no child care policy decisions have been made. This government is concerned that some child care providers wish to make their concerns known by disrupting or closing child care centres this week. This scheme will deprive parents and children of care. Parents have a right to expect operators to act responsibly and ensure that services are provided, and the ministry expects that all requirements of the Day Nurseries Act will be met so that the health and safety of children are not jeopardized.

On national Child Day I would like to emphasize our government's commitment to protecting our children's future by encouraging growth and prosperity by getting—

The Speaker (Hon Allan K. McLean): The member's time has expired.

STATEMENTS BY THE MINISTRY AND RESPONSES YOUNG OFFENDERS

Hon Bob Runciman (Solicitor General and Minister of Correctional Services): Ontario residents have repeatedly called for tougher sanctions against young offenders who show a flagrant disregard for the law. In keeping with the promise we made to the electorate last spring, this government is committed to delivering a program that would expose young offenders to the concepts of discipline and personal responsibility.

Today, as a first step towards implementing a clearer and more meaningful response to youth crime in Ontario, I am announcing the establishment of a task force of community leaders and members of provincial Parliament to develop a strict discipline program for Ontario young offenders.

Strict discipline programming for young offenders has recently been introduced in Manitoba and Alberta. Programs typically emphasize fundamental values such as personal accountability and self-respect in a highly structured atmosphere of rigorous physical discipline.

The task force will establish standards for security, work and basic skills training to maximize self-worth and rehabilitation of young offenders. Over the next four months, task force members will review Canadian and international models for strict discipline facilities, consult with stakeholders, and make recommendations on how a program of strict discipline should be tailored for the effective custody, management and treatment of young offenders in Ontario. New programming recommended by the task force will be implemented within current ministry budget allocations.

The task force will be co-chaired by my parliamentary assistant, Gary Carr, MPP for Oakville South, and Janet Ecker, parliamentary assistant to the Minister of Community and Social Services and MPP for Durham West.

1350

Citizen members of the task force, who are present today in the Speaker's gallery and who will, I want to point out and emphasize, be volunteering their time, include Norman Inkster, former commissioner of the Royal Canadian Mounted Police and a past president of Interpol; Archie Ferguson, former commissioner of the Ontario Provincial Police; the Honourable John M. Seneshen of the Ontario Court (Provincial Division); Norman Peel, QC a London, Ontario, criminal lawyer; Franco Fragomeni, supervisor of psychological services at the Belleville General Hospital; and Gary Allan, former special programs coordinator at the Brockville Psychiatric Hospital. On behalf of all members of the Legislature, thank you, gentlemen.

The task force is to complete its recommendations by April 15, 1996.

This government is alarmed by Statistics Canada reports that the number of youths under the age of 18 who were charged with violent crime is increasing at a significant rate. The rising trend towards criminal involvement by young people must be addressed to prevent future crime and the unacceptable waste of human potential.

This is the first of a number of initiatives this government will be announcing to strengthen Ontario's justice system.

ONTARIO FINANCIAL REVIEW COMMISSION

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): I rise today to table the final report of the Ontario Financial Review Commission, entitled *Beyond the Numbers: A New Financial Management and Accountability Framework for Ontario*.

Since being named Minister of Finance, I have taken a number of steps aimed at restoring credibility and public confidence in Ontario's finances. One of these first steps was to establish the Ontario Financial Review Commission last July 27. The eight commissioners, six from the accounting profession and two from the broader business community, were asked to advise on ways of improving Ontario's financial management, making financial reporting easier to understand and strengthening accountability. The commission, as part of that mandate, was also asked to examine the financial reporting and activities of certain crown agencies.

In the ensuing three months the commissioners have applied themselves diligently to their tasks, meeting with dozens of people from within and outside government, reviewing written submissions from members of the public and applying to their deliberations their experience and skill in financial management and reporting. Their report and recommendations, which I have just received, appear to be extremely comprehensive and detailed. I look forward to reviewing and responding to them.

Finally, I would like to thank the commission chair, Bill Broadhurst, past chairman of Price Waterhouse, and the vice-chair, Helen Sinclair, president of the Canadian Bankers Association, who are with us today in the members' gallery. My thanks extend also to commissioners Sonja Bata, of Bata Ltd; Hugh Bolton, of Coopers and Lybrand; Martin Calpin, of Deloitte and Touche; Cecil Fleming, of BDO Dunwoody; David Knight, of KPMG Peat Marwick Thorne; as well as Robert Lord of Ernst and Young.

The members of the Ontario Financial Review Commission, all of whom willingly volunteered their service, provide an exemplary model of the way dedicated private citizens across the province are working for the good of all Ontarians.

YOUNG OFFENDERS

Mr David Ramsay (Timiskaming): First of all, I would like to say to the House that I believe this minister really has total disregard for this Legislature, where less than five minutes ago I received a copy of his statement to this House and yet he was in the media studio for the last half-hour giving a press conference about this statement. Mr Speaker, I'd ask that you would look into that so that he would be serving this House rather than the media.

I also would like to say that it's probably good that he's going to have a little study before he jumps into this, because I would refer the minister to all the literature that has been developed over the last five or six years in regard to boot camps—and that's what we're talking

about here—in the United States. All that literature shows that recidivism rates are the very same for kids, young offenders, coming out of boot camps as they are for any other sort of institution.

This is very dramatic, very political action, but as a lot of the experiments in either a criminal justice or an education system there's more drama in the ideas than there are in the results. I would ask, before we get into a lot of expense with his blue ribbon committee, that the minister go look at that literature.

Several of the studies—and I think the latest one has come out of an eight-state study in the United States. This has been authored by Doris Layton MacKenzie. They studied boot camps out of eight of the states that have had the most history since 1988 in this, and the conclusions to the study I'd like to read into the record:

"We do not know yet how to organize boot camps with reasonable confidence that they will achieve their intended results. The...assessment does suggest how not to organize boot camps. The only effects on recidivism that were found were in programs that included a strong rehabilitative component in the daily schedule of activities (three or more hours) and in programs that provided intensive supervision to participants after release. Programs designed only to provide physical training, hard labour and military discipline did not reduce recidivism and may have a negative effect."

I would like to emphasize this for the minister, that we need to continue with the programming side and that maybe some strict discipline programming for 10% to 15% of our young offenders could be very effective, but it's not the panacea for all of the young offender problems we have here in Ontario.

ONTARIO FINANCIAL REVIEW COMMISSION

Mr Gerry Phillips (Scarborough-Agincourt): I would like to add my thanks to the distinguished group that did this report. We are very fortunate to have as much talent that's prepared to give their time, and I want to add my thanks to the minister's thanks.

I would say that, for our party, this is an extremely important report because, as the Provincial Auditor as recently as about a week ago pointed out in his report, the deficits in the last two years have been understated by, the auditor says, roughly \$3.5 billion. What that means is that as the finances of the province have been reported in the budget, they have not reflected accurately the true state of the finances, so we welcome this report. I just received it literally minutes ago, but some of the recommendations that I've seen so far we're very supportive of.

I might add our disappointment with the government. We've said this in the Legislature before, but for the first time in the history of the province we will not have a budget. It is the budget document that we use, and the auditor says we should use, as the major fiscal statement of the government, but for the first time in the history of the province we won't have that. I see the group makes a strong recommendation about the necessity of a comprehensive budget. So I wanted to add our disappointment with that.

I wanted to add our disappointment with the fact that the only documents we are dealing with right now are what are called estimates. They're not even the new government's estimates. They're the estimates of the previous government. So not only have we not got a budget, but the estimates that the Harris government is asking the Legislature to deal with aren't even their own estimates. They're estimates that were prepared by the previous government. I can accept that the new government's been busy, but surely there's nothing as fundamental as laying out for the public and indeed the Legislature the details of their spending plan.

I look forward to going over this report in more detail. I think it will be a very helpful blueprint for ensuring that the new government reports its finances in a way that the public, the opposition and indeed the financial community can have some confidence that the numbers we see in the budget are in fact the numbers.

1400

YOUNG OFFENDERS

Mrs Marion Boyd (London Centre): Mr Speaker, I'd like to respond as did my colleague from Timiskaming to the statement of the Solicitor General and to say to you that I too am deeply concerned that in fact the critics were not given an opportunity to respond to this statement and indeed did not receive it until after the press had been briefed. I think that's a serious omission, and I hope the government will not continue with that.

Mr David S. Cooke (Windsor-Riverside): Something he used to complain about.

Mrs Boyd: This minister used to complain very bitterly about that when any other government did it, and it is very important for him to be respectful of this place.

I want to say to the minister that the notion of having a committee to look at different ways of improving the response that the corrections area has for young offenders is something that will be very popular with people in Ontario. We know that.

The problem is that he has established a task force with one focus, and I would urge the minister to look very clearly at who are young offenders who show a "flagrant" disrespect for the law. To whom do these concepts of strict discipline really apply? Are they first offenders, or do we need to find a much more effective way of dealing with first offenders at the onset of their kind of criminal activity and make sure that they do not learn how to be more and more violent criminals as time goes on?

We have very good programs and alternative measures that are in place in places like London and Sudbury, run by people who understand youth crime, and I would urge the minister to ensure that there is a continuum of looking at this issue from the least serious offences to the most serious offences.

The member says that the number of violent youth crimes has more than doubled between 1986 and 1991, and that is true. What the minister does not say is that for the last three years there's been a consistent decline in the number of violent crimes committed by young offenders, even though changes in the Young Offenders

Act which have been made and are pending on the part of the federal government have not yet taken place.

It's important for us to get that into perspective, particularly in Ontario, where charging mechanisms changed with respect to our zero violence in the schools program, and indeed a much more serious look at the school level at the use of violence by young people. So I would urge the minister to be very, very mindful of using statistics that are current and are real, not trying to use the scare tactics that youth crime is out of control, because in fact none of the statistics show that that is true.

Last, I'd like to say something about the task force itself. The members of the task force are all deeply respected, contributing citizens of the province of Ontario. However, having said that, none of them has any particular expertise or knowledge around youth issues—none of them. Even the Honourable John Seneshen, a judge of the provincial court from my own jurisdiction, has not been a youth court judge, has not been doing that kind of work, and it is extremely important that the minister be aware that the expertise that my colleague from Timiskaming talked about in the area of youth justice, what works with young people, could be much broader.

I would urge the minister to be sure that, when this matter is being looked at, the expertise of people like Dr Alan Leschied, from the Family Court Clinic in London, and many of those who have worked around the province with the John Howard Society, with the St Leonard's Society, doing work with youthful offenders—that he would take into account the kind of work they have done.

I am surprised that we could not find any experts, any community experts, for this committee who were women, and I would say to the minister that it is important to have a dual perspective, because young offenders are not just boys. Young women are also in this kind of situation, and many of those who have worked hardest in our communities on young offender issues are in fact women, whose expertise is just as great as the honourable gentlemen whom he has appointed.

ORAL QUESTIONS

HEALTH CARE FUNDING

Mrs Lyn McLeod (Leader of the Opposition): My first question is for the Premier. Last week my colleague the member for Oriole asked your Minister of Health and your Minister of Finance if they would reaffirm a campaign commitment that you made, a very clear commitment that you would not cut health care, and we asked them to reaffirm that commitment by signing a pledge.

Both of those ministers refused to sign a pledge, and yet I remember, Premier, during the campaign you were prepared to sign a pledge to underline your commitment. In that case it was a taxpayers' pledge, and you signed that pledge in order to underline your commitment on taxation.

Today I ask you if you will underline your commitment on health care by signing a health care protection pledge. Premier, I have the pledge here, as we had it last week, asking your ministers to sign it. It's a simple pledge. It merely restates the commitment that you made, the commitment I'm sure you will remember.

It says, "I hereby pledge that there will be no further cuts to the health care budget in the November 1995 fiscal statement, and furthermore, I guarantee that the Harris government will not make additional cuts to health care as a result of revenue shortfalls."

I will ask a page to deliver it to the Premier and I just ask the Premier if he will sign this and reaffirm his commitment to the people of Ontario.

Hon Michael D. Harris (Premier): I will live up to and honour the commitments I made in the campaign. If you've got specific questions, I'll refer them to the Minister of Health.

Mrs McLeod: We've been asking the Minister of Health repeated questions. We asked the Minister of Health to sign this pledge; the Minister of Health refused. Since it was the Premier's commitment, I felt it was appropriate to ask the Premier if he would reaffirm his commitment to the people of Ontario.

It seems rather strange to me that no one in the government, including the Premier, is willing to sign a pledge which does nothing more than reaffirm one of the foundations of their election platform, one of their most sacred commitments, according to this Premier, to the people of Ontario.

The campaign document said it very plainly and very simply, "We will not cut health care spending." We are simply and plainly asking you to reaffirm that commitment. I find your refusal to do so absolutely mystifying. I take it that this is an indication that you are intending to break your promise in the expenditure statements next week. You've already made cuts in the health care budget. Should we be expecting even more cuts next week?

Hon Mr Harris: We made it very clear in the campaign, and this is typical of why we're in the mess we're in. The member, you know, when they were in government—and now they're saying: "Don't spend here and don't do there. Spend more efficiently here but don't do this. Balance the budget but don't reduce any expenditures. Don't do this; don't do that."

We committed, and let me tell you what we committed to. You can't take one part without the other. We committed to seal the health care envelope. We will go to the people four years from now with the health care envelope spending at the same \$17.4 billion that we said we would go there with. But we also committed, and we committed extensively, and day after day, to find savings in the health care system, to spend more smartly, to spend more wisely, to meet the funding pressure of an aging population, new technology, new funding that was there.

The minister, week after week after week, and will in this upcoming statement and will in the 1996 budget—and we will talk about brand-new spending, new programs in health care. The difference between the way this government operates and the two former governments for the last 10 years: We said clearly we're going to find savings in the health care system to pay for the new funding pressures and the new programs we announced so that they're in balance. That's what you didn't do.

Mrs McLeod: That seemed like a very strange and rather inappropriate rant, given the nature of the question.

The question was not about where you're going to save money in the health care budget and how you're going to reallocate; the question was about a commitment not to cut health care. Your campaign commitment was very clear, very plain, very simple: You promised you would not cut health care, full stop, period. That was the commitment. Within a month of taking office, we saw that you had already broken that commitment.

You cut \$127 million in your first financial statement and now we see that you're looking for some weasel kinds of ways of getting around your commitment that there would be no new user fees in health care. It is absolutely clear to everybody that you have no intention of keeping your commitment not to cut health care. Premier, why don't you just come clean and tell us what cuts in health care we can expect to see in that expenditure statement next week?

Hon Mr Harris: What you are asking me to do is to not fund new dialysis, not fund new cancer treatment, not fund new programs for immunization, not fund paramedics, not fund, for rural Ontario, emergency services for hospitals. You're asking me to do that.

You campaigned on stable funding. Did you have a definition of it? I put on the record the definition \$17.4 billion, and I was very clear that I would find savings in the system, that we would spend more efficiently. Now you want me to sign something that says we'll never spend another nickel on any new program in health care because we said to do it we have to find the savings.

The irresponsible \$100-billion debt, the \$10-billion deficit, are a result of you saying yes to every interest group that came along, signing anything anybody put in front of you, and not being fiscally accountable. For me to sign what you're asking me to sign is to say no to new dialysis, no to new techniques, no to cancer treatment, no to all those services that the minister is announcing week after week. We're not saying no to the people of Ontario when it comes to health care.

The Speaker (Hon Allan K. McLean): New question.

Mrs McLeod: But in the campaign document, the words were so simple. I was simply repeating it. Apparently the Premier is not prepared to repeat those very simple and very clear words.

1410

SERVICES FOR ABUSED WOMEN

Mrs Lyn McLeod (Leader of the Opposition): I will move on to a second question, and that is to the Minister of Community and Social Services.

Minister, you will be, I'm sure, aware that there are representatives from the Ontario Association of Interval and Transition Houses in the gallery today and that they're here following the release of an annual report they've made on the progress—or it might be more appropriate, having read their report, to talk about it as being a full-scale retreat—made by your government towards eliminating the violence against women and children in this province.

Last month in this Legislature, in response to repeated questions, you made a commitment to protect core

services for women and children in abusive situations. At the beginning of this month, which is, as you will know, Wife Assault Prevention Month, the minister for women's issues made a similar commitment. But as the women in the gallery have made clear today, programs that have been established to protect women and children from abusive situations are being slashed by your government and your ministry.

My question is very simple: What happened to your commitment? Why are you cutting programs that assist abused women and children and protect them from further violence?

Hon David H. Tsubouchi (Minister of Community and Social Services): First of all, I'd like to state that I'm meeting on Thursday with this particular group to discuss some of their issues. Secondly, I'd like to say again that we do continue to provide over \$60 million in funding to women's shelters.

Mrs McLeod: I fail to see how meeting with the group on Thursday helps to rectify the problems he's created with the cuts that have already been made. This minister keeps talking about "core services"; again today he says they've protected funding for core services. Yet the people who are here today, who run the emergency shelters, the people you say you're finally going to meet with on Thursday, define core services they offer as being things like a 24-hour crisis phone line, emergency transportation to shelters, crisis counselling for women, counselling for children who witness violence in their homes, and funds to pay for the shelter administration. All these core services at emergency shelters across this province have suffered cuts from your government.

I have to ask you, as you talk about protecting core services, exactly what is your definition of "core services"? Do you not agree that a crisis counselling program for women or counselling programs for children who have been in abusive situations at home or emergency transportation to a shelter are core services? Will you tell us how you define the core services that you say you're prepared to protect?

Hon Mr Tsubouchi: When we're talking about core services, they're exactly that. They're services that are considered very important to the people of Ontario.

We have to put this in perspective. I mean, here we go again. There's no recognition whatsoever of the fact that we are in a fiscal crisis at this particular moment, that as a result of the overspending of the last two governments, it's costing us \$1 million an hour to pay the interest on the debt alone.

Interjections.

The Speaker (Hon Allan K. McLean): Order. The member for Hamilton East is out of order.

Hon Mr Tsubouchi: What would you like me to do other than the fact that I am trying to meet with this group on Thursday and discuss their issues?

Mrs McLeod: I'll tell the minister that I happen to believe that a commitment to protect core services needed by women and children in abusive situations should be a priority for his government and for his ministry, and that it is completely hypocritical for this minister, day after

day, to stand up in the House and say they are protecting core services when they in fact have cut the funding for emergency shelters, when they have totally eliminated the funding for the second-stage housing programs that provide the support that women and families need to establish independent lives.

Hon Dianne Cunningham (Minister of Intergovernmental Affairs, minister responsible for women's issues): We have not eliminated funding to second-stage, Lyn.

Mrs McLeod: The minister for women's issues interjects to say, as she has said consistently, that they're not cutting core services for second-stage housing. There is nothing left except bricks and mortar. There are no support services to help those women and children establish independent lives, because the services are being shut down on December 31.

Minister, I think you should come clean and admit that you're cutting core services for emergency shelters, admit that you have indeed completely eliminated the funding for longer-term support services to help women and children establish independent lives, come clean and admit that you indeed have violated your commitment to protect programs for women and children who are in abusive situations.

Hon Mr Tsubouchi: Number one, it is a priority of our government. And talk about coming clean: The Leader of the Opposition is saying we've eliminated all funding for second-stage women's shelters, and no we haven't; they're still being funded for the residential component. Also, we still fund \$60 million towards these programs and, in addition to that, another \$15 million in counselling programs for women in need.

MINISTER'S COMMENTS

Mr Bob Rae (York South): A question to the Premier: I've had a chance to ask this question to your colleague the Deputy Premier as well as to the minister responsible for women's issues, but since we're together in the House today, I'd like to ask you this question.

I have in my hand an affidavit sworn in London on November 16, 1995, signed by Julie Lee, who swears that she attended a meeting with the minister responsible for women's issues at which time, according to her own notes, the minister said, "Within the context of this government, you need to understand that groups or agencies that are seen not to be working with the government, providing an oppositional voice [at this point she made reference to Harmony House, an Ottawa second-stage housing project which has been strongly voicing opposition to the cuts] will be audited and their funding eliminated."

I'd like to ask the Premier, given the fact that this has now reached the point where the person at the meeting feels she has to sign a sworn affidavit indicating that this indeed is directly what she heard, would the Premier not agree with me that this issue, which has been with us now for a couple of weeks, should be referred to a committee of the House so that members of the House will have an opportunity to hear both from members of the community as well as from the minister with respect to this meeting?

Hon Michael D. Harris (Premier): I think where it should be referred is to the minister.

Hon Dianne Cunningham (Minister of Intergovernmental Affairs, minister responsible for women's issues): I think it's very simple. There was a meeting. I've stated in this House before that I encourage people to come forward and speak up for what they believe in. Those words don't match the practice in my political career, nor are they believable, and I didn't say it.

The Speaker (Hon Allan K. McLean): Supplementary? New question.

Mr Rae: I want to ask the Premier again, and I want to ask him directly. This concerns the conduct of a member of your government. We now have, in addition to the affidavit, letters from several other advocacy and women's centres across the province. I have a petition with 231 names. We have comments from various people who were at the meeting who all concur with what Ms Lee says was said.

We have a fundamental question about the willingness of your government to recognize that when there are very different accounts of a conversation between the people who were there and the minister, this at least raises a very fundamental question with respect to what in fact happened at this meeting. Would the Premier not agree with me that if indeed the minister said these words, they could only be interpreted by the people listening to them as a threat?

Hon Mr Harris: I referred the question, Speaker.

Hon Mrs Cunningham: I didn't say the words—

The Speaker: Order. This is a new question.

Hon Mr Harris: I will refer the new question as well to the minister.

Hon Mrs Cunningham: I will say in this House again that there was a meeting—all of us have meetings—and if everybody had to put up with this kind of activity because someone disagreed during the course of some conversation, and they sent letters and they got signatures—it's my understanding now that this same person has written all the interval and transition houses, many of which I've met with. Some are here in the gallery today. They know I've encouraged them to speak up for what they believe in.

It's very simple. I did not make that statement. I would never make a statement like that. We are actually, as members in this House, all intimidated by the actions of this particular member in the third party.

The Speaker: Does the leader of the third party have a supplementary? No? New question; the member for Oriole.

1420

HEALTH SERVICES

Mrs Elinor Caplan (Oroile): My question is to the Minister of Health. Minister, it's a very simple question: Have you licensed any new facilities, independent health facilities or clinics, to provide insured health services under the Independent Health Facilities Act?

Hon Jim Wilson (Minister of Health): To the best of my knowledge, over the past four months since coming to office I've not issued any new IHF licences.

Mrs Caplan: Thank you for that answer, Minister. We often hear of the new vision of you, your government and your Premier that you're proposing for health care and medicare in Ontario. I wonder and I worry, as many are worried, that your vision includes an American-style, two-tier health care delivery system for Ontario: one health care system for the rich and one for the rest of us Ontarians.

Minister, will you stand in your place today and guarantee to the people of Ontario that they will not have to worry about buying their way into receiving medically necessary services, that people will not be forced to pay for those necessary health services that they presently are receiving today from health facilities in Ontario?

Hon Mr Wilson: I'm very proud to say that with the announcement by the government shortly after we came to office respecting out-of-country payments, Ontario today is the only province that has no irritants between ourselves and the federal government with respect to the Canada Health Act; we are the only province fully living up to the Canada Health Act. I'm proud of that and we will continue to do that. Under the Canada Health Act insured services must be provided to insured persons in Ontario without user fees, and we will fully live up to that aspect of the Canada Health Act.

SERVICES FOR ABUSED WOMEN

Ms Marilyn Churley (Riverdale): I have a question for the Premier. Premier, this morning the Ontario Association of Interval and Transition Houses held a press conference with the theme Unlock the Doors to Freedom. I attended that press conference, and since there was no representative from the Tory caucus, they asked me to give these keys to the government caucus to wear in support of their campaign. I'm sending them over with a page right now and I'd like to ask the Premier if he will wear one himself in support of their campaign and if he will distribute these to his caucus members to wear and support the campaign Unlock the Doors to Freedom.

Hon Michael D. Harris (Premier): I think members will know that my practice, with the exception perhaps of a poppy every Remembrance Day, has been to respect what I interpret to be the rules of the Legislature to not wear T-shirts or sweaters or buttons or these kinds of things, and I personally have not done that. I have tried to be pretty consistent with that.

I am happy to receive the keys. I will distribute the keys to the members of my caucus, many of whom may wish to wear them and many of whom do wear—I know that in your caucus some do and some don't, and it's the same in the Liberal Party.

But let me say to the member that whether or not one wears buttons, T-shirts, signs, keys, symbols, in no way diminishes my personal commitment to transition houses, to interval houses, in no way diminishes our government's and our cabinet's commitment to provide services, dollars and help in any possible way we can.

Ms Churley: I think the Premier just told me that he's willing to restore the lost funding to the transition houses and the second-stage housing in Ontario. I'm glad

to hear that commitment and I hope he'll reaffirm it in my supplementary.

Interjection.

Ms Churley: I don't want to hear any comments from the minister responsible for women's issues. She has absolutely no credibility in this House any more. Anyway, this question is to the Premier.

The Speaker (Hon Allan K. McLean): Direct your question through the Chair, please.

Ms Churley: Yes, Mr Speaker. The members of the Ontario Association of Interval and Transition Houses feel that your government has locked the doors to freedom for women who are experiencing abuse. How are you going to make sure those doors are kept open at the same time you are cutting? And you are cutting. You won't admit it, but you are. You're cutting funding from front-line emergency shelter budgets, funding for second-stage shelters, training programs, community counselling, social assistance benefits, pay equity, employment equity, and more. What are you going to say to the women? What are you going to say to assure abused women today that you will guarantee their safety?

Hon Mr Harris: I'll refer the supplementary to the Minister of Community and Social Services.

Interjections: You can't do that.

The Speaker: No. New question; the member for York-Mackenzie.

Mr Frank Klees (York-Mackenzie): My question is for the Minister of Municipal Affairs and Housing. On October 25—

The Speaker: Excuse me. The rule says you can refer a supplementary, which I was not aware of.

Hon Mr Harris: If the rules are, and I believe you're correct and that interpretation is one I've always had, that you can—the questioner cannot in fact redirect, but I did refer it and I know the minister would be happy to answer it.

Hon David H. Tsubouchi (Minister of Community and Social Services): This is very similar to the question that was asked of me by the Leader of the Opposition, and once again I think it's very important that we have some discussions, and we are going to have discussions with this group on Thursday.

The Speaker: New question; the member for York-Mackenzie.

ONTARIO HOUSING CORP

Mr Frank Klees (York-Mackenzie): My question is for the Minister of Municipal Affairs and Housing. On October 25 I tabled a petition in this House that was presented to me in my constituency, signed by some 1,650 people, most of whom were senior citizens. Specifically, these people live in Ontario Housing Corp units, and I read the petition as follows:

"Mr Harris has proposed to sell all 84,000 units owned and operated by Ontario Housing Corp to the private sector. This represents the homes of approximately 110,000 people in the province. This will mean a dramatic change in lifestyle for all of us, including seniors who are on fixed incomes. We oppose this action."

Mr Minister, this petition was organized by senior citizens in my riding, many of whom have serious concerns about losing their housing units as a result of government policy. Can the minister provide us with clarification on the government's policy on this issue, and what comfort can he give these seniors that their homes are not at risk?

Hon Al Leach (Minister of Municipal Affairs and Housing): This government is committed to getting out of the housing business. We stated that categorically during the campaign and we intend to live up to that commitment. The alternatives of getting out of the housing business are currently under review, as we've said. We know these are the homes of the seniors who were referred to, and everybody else, and we're going to be extremely sensitive to their needs as we develop our alternatives. Nothing is going to happen until we are satisfied that the concerns of the tenants are protected.

One of the options that we're looking at is a shelter allowance. This would allow people to choose where they live rather than having to stay in the bricks and mortar that they are in now.

1430

Mr Klees: My supplementary to the minister is that while the ultimate ownership of these housing units may not have an immediate effect on these people, the fact is that many of them are senior citizens and are on fixed incomes. What assurance can the minister provide that these senior citizens will not be facing rent increases under whoever the new owners are and that they in fact will be protected from rent increases so that they will not be uprooted from their homes?

Hon Mr Leach: As I've indicated, we're examining a wide range of options that are available to us on the future of the OHC. However, as I have repeated many times in this House, we intend to ensure that tenants' rights are protected while we're directing a new program. I can assure the member that in the event of privatization we would offer that same assurance to the tenants of OHC.

INVESTMENT FUNDS

Mr Monte Kwinter (Wilson Heights): My question is to the Minister of Economic Development, Trade and Tourism. Mr Minister, 10 days ago I asked you a question about the credibility of your government and the ability of businesses to rely on commitments made by you in your efforts to portray Ontario as open for business. Since I asked that question, I have had several other businessmen call me to tell me of their experience with the reneging of commitments by your government.

Now we have Douglas MacKenzie, president of Commercial Alcohols Inc, proposers of an ethanol project in Chatham, Ontario, saying that the project is in doubt because of the withdrawal of committed support by the Ontario government.

My question to the minister is this: Your government and your Minister of Agriculture, Food and Rural Affairs have consistently given lip-service to financial support for the ethanol industry in Ontario. As a result of those

assurances, investments have been made that are now at risk. Is the message that you are trying to convey to investors that Ontario and its government cannot be trusted?

Hon William Saunderson (Minister of Economic Development, Trade and Tourism): I'd like to refer this question to the Minister of Agriculture, Food and Rural Affairs.

Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs): I and this government continue to support the ethanol industry 110% in this province. I'm also happy to announce today that a former deputy minister within the Ministry of Agriculture, Food and Rural Affairs has been given the task of being a fact-finder in order to look into the very real possibility of stimulating the ethanol industry in Ontario, an industry that is requiring more and more product just to service Ontario needs.

Mr Kwinter: The minister has taken what I consider an unusual step of referring a question that has really nothing to do with basically the ethanol issue; it had to do with the idea of trust in this government and about commitments that you have made.

Ten days ago, the minister made an astonishing statement. It says, "Economic growth cannot be created by government assistance." I say to the minister, and I said to his deputy, if that is the case, then what kind of boondoggle are you running over there? Why don't you send everybody home, turn out the lights and save the taxpayers one pile of money?

This question is to the Minister of Economic Development and Trade, not to the Minister of Agriculture. It's a question of trust. There are people who are investing millions of dollars finding out that those investments are going down the tubes because they cannot trust this government. I'm asking you, Minister, I'm asking the Minister of Economic Development and Trade, are you going to be a player or are you going to continue to be a cheerleader and not provide the kind of leadership that this province needs?

Hon Mr Villeneuve: Twenty-seven thousand new jobs have been created in the last two months, according to one of the Toronto papers. Now, the original question revolved around the ethanol industry, and I believe the supplementary should come from the response to the initial question.

I want to quote the Leader of the Opposition here when she was Minister of Energy in 1990. It says here, and it's signed by the Honourable Lyn McLeod, "At present it does not appear that ethanol from grain can be produced at a sufficiently low cost to become an important component in Ontario gas without significantly larger subsidies," signed by Lyn McLeod. So draw your own conclusions.

The Speaker (Hon Allan K. McLean): New question, the member for Algoma.

Interjections.

The Speaker: Order. The member for Algoma has the floor.

EDUCATION POLICY

Mr Bud Wildman (Algoma): I have a question to the Minister of Education and Training. It is in relation to his statements that he would be saving \$350 million of taxpayers' money because of the commitment to end OACs, or grade 13, by the year 2001.

In light of one of the statements made in his now infamous videotape in which he said, referring to the United States Declaration of Independence, that the statement that all people are created equal is a ludicrous statement, "That assertion today wouldn't hold water; in the time that it was written it was absolutely wrong," can the minister clarify his position with regard to the allocation of the funds saved by the ending of OACs at the end of secondary level of education to the beginning of primary education to deal with the inequities he seems so sure exist between people?

Hon John Snobelen (Minister of Education and Training): I want to thank the member for Algoma for the question. I think every member in this House certainly is here with a firm commitment to finding inequities and ending them. That's certainly why I'm here and I know that's why the member opposite is here. That's one of the reasons why I'm looking forward to the report of the task force on education financing, so that we can look at how to fund education across this province so every child in this province has a similar opportunity to education.

However, I might point out to the member opposite that if he wants to find out where that premium will be spent when OACs end past the year 2000, he needs to look at the \$100-billion debt his government left this province because, my friend, you have already spent that money.

1440

Mr Wildman: I take from the minister's answer that the savings of \$350 million to which he referred in the House will not be, in his view, applied to primary education.

Would the minister confirm that only 40% of that \$350-million estimate are actually provincial dollars and the rest of it, the 60%, are moneys that have been expended and are being expended by boards of education and separate school boards across the province?

Can he at least commit to apply the 40% of that figure to ensure that young students who are experiencing difficulties can be identified early by having junior kindergarten programs available to them, so they can develop their language skills, their attentiveness and their social skills, since most studies have indicated that those children who have indeed had good early childhood education do not have the same problems later on. They have fewer dropouts and have more academic success, and indeed one study in the United States indicates that for every \$1 spent at the primary level, society saves \$7 later.

Hon Mr Snobelen: I'd like to take this opportunity to remind the member opposite that there is one taxpayer in the province of Ontario, and that that one taxpayer is a taxpayer contributing that \$350 million.

I'd also remind the member again that that \$350 million comes past the year 2000, and this government will not wait until after the year 2000 to find affordability, accountability and quality in the public education system in the province of Ontario.

COMPUTERS IN SCHOOLS

Mr Bill Grimmett (Muskoka-Georgian Bay): My question is also for the Minister of Education. Computers are becoming an integral part of our society, both at work and in our homes. What is the minister doing to ensure that students in our school system acquire the necessary skills to compete in an increasingly computerized world?

Hon John Snobelen (Minister of Education and Training): I want to thank the honourable member for his question. For many years, educators in this province have recognized the importance of teaching computer skills. This government recognizes the importance of computer skills for the young people in this province. That's why we've increased the funding for programs such as GEMS, which puts computers in the classroom here in Ontario. In the near term, I intend to announce some further initiatives that will help Ontario to be at the leading edge of information technology in education in the classroom in Ontario.

Computers are only a part of information technology. Educators in Ontario are moving now from using computers as merely a tool to teach computer skills to using information technology to teach children to distribute knowledge. That's the exciting part of information technology in the province.

Mr Grimmett: The difficulties associated with the financing of educational programs is a topic of considerable discussion in my riding, and I wondered what steps the minister is taking to ensure that the students in all Ontario schools will get a chance to be involved in these computer programs.

Hon Mr Snobelen: Many people, including this government and I'm sure everyone in this chamber today, are concerned with the growing gulf between the educational opportunities for children who have an opportunity to learn with information technology and children who do not. Recently, in the grade 9 test results that were issued in the province, teachers reported that 70% of children in this province rarely or never used computers. That's why I'd like to assure the honourable member that this government will be moving to work with educators and the private sector to make investments in information technology that will close that educational gulf and give every child in this province the same opportunity.

JUSTICE SYSTEM

Mr Dalton McGuinty (Ottawa South): My question is for the Attorney General. On a warm August evening in 1994, 16-year-old Shayne Norris was riding his bicycle home in the Ottawa area when he was struck from behind by a car and killed. The car was driven by OPP Constable Serge Loranger, who admitted that he had just left a bar where he had been drinking. He also later admitted that he knew he hit something, but he said he didn't believe it to be a person. He did not stop his car to confirm that it was not a person he'd struck.

A blood sample taken from Constable Loranger showed that his blood alcohol level was still over the limit some three and one half hours after Shayne was struck. The blood sample procedure was not properly followed by the police investigators, and as a result this evidence was found to be inadmissible in court.

Constable Loranger has been acquitted of all charges brought against him. He has even been acquitted of merely failing to remain at the scene of an accident.

Shayne's parents are in the gallery here today, Mr Attorney General, and I understand you met with them earlier today. They need to know from you, our province's Attorney General, if you believe our province's justice system worked in the case of their son. On the one hand, the Norrises have lost their 16-year-old son, and on the other, the man who'd been drinking and driving and whose car struck Shayne has been acquitted of all criminal responsibility. Do you believe that our system of justice worked in the case of Shayne Norris?

Hon Charles Harnick (Attorney General, minister responsible for native affairs): May I say publicly to Mr and Mrs Norris and express to them my profound sympathy for the loss that they've suffered, and repeat that we had a meeting today and we discussed a number of things. Mr and Mrs Norris were very candid with me when they indicated how strongly they felt that the prosecution service of the Ministry of the Attorney General prosecuted this case well and vigorously, and I very much appreciated hearing that from them in very difficult circumstances.

This case was a complicated matter and it was a case that the judge made some very specific findings of fact over, and those findings of fact indicated that there was an issue of doubt as to whether the accused realized that he had been involved in an accident. Whether I agree with that finding or whether I don't agree with that finding is irrelevant. That's a finding that was made by an independent judge on the basis of the evidence that she heard. The ministry reviewed that finding, and it reviewed it over and over and over again, to find a means by which it could possibly appeal this case.

Unfortunately, the finding of fact by the judge is something that is not appealable. The finding was purely a finding of fact. There was no error of law in the way the judge instructed herself to deal with the application of the law to those facts. I can tell you that the administration of justice, as the Norrises know and acknowledge, put every ounce of effort into trying to obtain the result that we all had hoped for and prosecuted this case with integrity and with vigour.

Mr McGuinty: I want to assure you, Mr Attorney General, that the Norrises do not believe that justice has been done in the case of their son. Indeed, over 100,000 people have signed a petition in Ottawa-Carleton on this matter because they too do not believe that justice has been done. My community of Ottawa-Carleton is overwhelmed by a tremendous sense that something went terribly wrong here. On the one hand, we have a young man in the prime of his youth cut down, and on the other hand, the man who admitted to drinking and then driving

the car that killed Shayne is found not to be responsible in any way whatsoever for causing Shayne's death.

As you might expect, serious questions are now being raised about the handling of the police investigation. People in Ottawa-Carleton are wondering if there's one standard of law for our police and another for the rest of us. I can tell you that justice has not been seen to be done in the case of Shayne Norris.

I think you would have to admit that this case has brought our system of justice into disrepute, but also I can add that you and the Solicitor General have it within your means to help clear the air here. You can call a public inquiry into the conduct of the investigation in this case, and I believe you must do so immediately. The only way you can restore confidence in our system of justice is through a public inquiry to determine exactly what went wrong here and what must be done to ensure it does not happen again. Mr Attorney General, will you support a public inquiry into the case of young Shayne Norris?

Hon Mr Harnick: It troubles me greatly to hear that there are those who believe that because a police officer was involved in this case, the administration of justice was somehow different than it otherwise would be. I can't comment on issues pertaining to police investigations. What I can comment on is the fact that the prosecution had a case placed before it after certain charges were laid and the administration of justice, through the Ministry of the Attorney General and crown prosecutors, prosecuted that case as best it was possible.

1450

What I can tell members of this House is that there are a number of options open that the Norris family has undertaken, and I hope very much that these options will answer the questions that we so very much want answered. They include procedures under the police complaints legislation that provide for disciplinary hearings and an investigation pursuant to the public complaints investigation under the Police Services Act. I know that the Norris family is proceeding in that regard and I don't want to comment about any of the details in so far as that is concerned.

As well, I understand that there is a civil action that has been started. If there are to be police investigations or investigations as to police conduct, that is not something that is within my purview. What I can say is that the Norris family is following all of the options that are available to them, and I have indicated in my meeting with Mr and Mrs Norris that if they need any guidance in terms of being directed towards those processes or understanding the nature of the process that's available, we would be in a position to provide the advice they would need in terms of following the different options that are available.

CHILD AND FAMILY SERVICES

Mr David S. Cooke (Windsor-Riverside): My question is to the Minister of Community and Social Services. I'd like to ask the minister if he is aware of a study that was done in Alberta that confirmed that the number of Calgary-area youngsters needing child welfare intervention soared in the past year.

The document confirms that child welfare caseloads jumped 19% in Calgary and the outskirts between November 1994 and June 1995 and, according to the internal caseload analysis, front-line staff attribute the increase to poverty, job loss and the inability of families to pay for basic supports. It also links very clearly the decrease in welfare payments to families in Alberta to an increase in caseloads in the children's aid societies or the child welfare system in Alberta.

Is the minister aware of that study, has his ministry analysed that study, and what will the impact on child welfare cases be in Ontario of your 22% decrease in welfare benefits to children and families?

Hon David H. Tsubouchi (Minister of Community and Social Services): First of all, no, I haven't got that study. Perhaps the member could share the study with me. I certainly would be happy to look at it.

Secondly, I had another meeting this morning with the Ontario Association of Children's Aid Societies, and we've agreed to have a good dialogue between themselves and myself and the ministry on an ongoing basis in order to assure the people of Ontario that the area of child protection is certainly well taken care of. It has been mandated. The umbrella group has agreed to meet with us on an ongoing basis to assure us that these mandated services will be provided to people of Ontario.

Mr Cooke: It doesn't make anybody in this province feel comfortable or assured that just because the minister finally, after three months, had a meeting with the Ontario Association of Children's Aid Societies, somehow it's deemed that cases are going to be dealt with.

The fact of the matter is, in the experience in Alberta, caseloads increased dramatically because families had less financial resources in order to deal with basics like food and a roof over their heads. That will increase the demand on children's aid societies in this province. At the same time, you have cut back already grants to children's aid societies by 5%, and we know that in at least one case, the Halton Children's Aid Society ran out of money at the end of October.

The people of this province want to know what you're going to do to make sure that the children of this province who need the protection of the state are going to get that protection. Or are you going to allow them to be abused and not to be taken care of by this province, as has been the tradition for years?

Hon Mr Tsubouchi: Specifically with respect to the Halton CAS, this question was asked of me last week in the House, at which time I indicated that the ministry and the Halton CAS are working together to do a review of the administrative and financial situation, and we have provided them with interim funding to ensure that the mandated services of the CAS are provided to people in Halton.

But I'd like to share with you a thought on this particular issue. It came from the Hansard of July 8, 1993, and it's my predecessor, the Honourable Tony Silipo at that time, indicating:

"If there's one thing that just about everyone agrees with, it's that the Ontario welfare system isn't working.

It isn't helping unemployed people to learn new skills and find jobs. It isn't helping parents provide for the children's basic needs. By this, I mean not only parents who receive social assistance but also parents who are working full-time in low-wage jobs."

All of a sudden, I think the collective lightbulbs went on over people's heads and they all said, "Eureka," at the same time, and this is the solution Mr Silipo came up with. He said, "Since coming to office in 1990, our government has taken a number of steps to improve the welfare system, including"—and this is his number one reason—"increasing benefits by 13.5%."

Obviously, throwing money at the situation is not the answer. If it had been, there'd be nobody on welfare today. We have undertaken a fundamental reform of the welfare system to make sure that people have the opportunity now to be self-sufficient.

NURSING HOME

Mr Leo Jordan (Lanark-Renfrew): My question is for the Minister of Health. Minister, you've been doing a very good job of finding areas of saving within the health care system and reapplying them within the system to better the whole system for every rural Ontarian.

At the present time there's a regulation for nursing homes stating that the administrator there must be on duty 40 hours per week. We have just opened an \$18-million nursing home and home for the aged in the county of Renfrew. It is across the street from the Renfrew Victoria Hospital.

Minister, I'm wondering if you would assist us in clearing that regulation in such a way that we could use the same administrator for the hospital and the home for seniors, in that they are adjacent to one another on the same street.

Hon Jim Wilson (Minister of Health): I want to thank my colleague the member for Lanark-Renfrew for his thoughtful words and for his question. I certainly would like to do everything I can and am actively working to do everything I can to clear the red tape and ensure that one administrator can serve both institutions which are essentially adjacent or very close to each other.

I want to assure the honourable member that we're going to do everything we can. Please, if I could, I commend the member and his constituents for coming up with this idea. Perhaps you'll be a model for other parts of the province. As you take two administrators, and one retires and is not replaced, you're going to save administrative dollars, and you'll be able to use those savings to reinvest in front-line services, and I commend you for that.

Mr Jordan: You're quite correct. The administrator at the new home for seniors is retiring at the end of December, and we can see the saving as being very obvious there.

Can you expedite this so we have a decision before the end of December, when the administrator retires at the Bonnechere Manor?

Hon Mr Wilson: I want to confirm for the member and for the record that the ministry and I are quite serious about resolving this issue as quickly as we can. A recent

letter by one of my ministry staff in the residential services branch to the chief administrative officer of the county of Renfrew reads:

"Thank you for meeting with ministry staff on October 17, 1995, to discuss the cost-saving options you are currently exploring with the Renfrew Victoria Hospital. I'm pleased to advise you that the ministry is supportive of pursuing these options in greater detail."

The letter goes on to list a number of questions that the ministry had.

We've seen other examples. For example, Kitchener-Waterloo Hospital and Freeport Hospital went to one administrator when one of those administrators retired. But that was between two hospitals. This is the first time we'll have it between a home for the aged and a hospital. We're going to do everything to clear that red tape and try to meet your time frame. Again, congratulations to you and your constituents for being proactive in finding those savings and suggesting this to the government.

1500

JUSTICE SYSTEM

Mr Dalton McGuinty (Ottawa South): At this time I'd like to raise a question with the Solicitor General. I gather you will have some passing acquaintance with this case as well, and I want to speak to you about some of the issues that have been raised with respect to the failure on the part of the police conducting the investigation into the Shayne Norris matter to carry out standard operating practice or procedure.

In particular, as I understand it, the police conducting the investigation here did not read Constable Loranger his rights. No breathalyser was taken; no ALERT was taken at the scene. The blood sample that was taken was taken at the three-and-a-half-hour mark when it's required to be taken within the two-hour mark and when Constable Loranger had been in contact with police well within the two-hour mark. Furthermore, Constable Loranger was not charged until one month after the incident.

Given those facts, Solicitor General, I wonder if you might not agree that a public inquiry must be held in the circumstances.

Hon Bob Runciman (Solicitor General and Minister of Correctional Services): I share the member's concerns related to the way in which this investigation was handled by the police service involved. I will ask my ADM, policing, to provide me very quickly with options available to me as a minister and to us as a government in terms of what can be done to determine precisely what occurred in respect to this particular investigation and the incidents involved in terms of delays in laying charges, the way the samples were handled and all of the very serious and legitimate questions that have been raised in respect of this matter.

I personally am not responsible in respect to public inquiries; that falls under the aegis of the Attorney General. But I do have some personal concerns related to that. I would remind the member that in 1988, I believe it was, perhaps prior to your arrival in this place, the Liberal government initiated a public inquiry in the Niagara region related to a police shooting. That public

inquiry dealing with a single incident took five years to arrive at completion and cost the taxpayers of this province \$10 million.

I am concerned in respect to handling this in a very expeditious way and a much more time-conscious way, and we can come up with the answers and deal with it in an effective manner. I don't think a public inquiry, at first blush, is perhaps the way to approach it.

Mr McGuinty: We all have, obviously, concerns about government expenses, but I am not sure that it is at all appropriate to weigh the costs of conducting a public inquiry into this matter against—

Mr Mike Colle (Oakwood): A matter of justice.

Mr McGuinty: A fundamental matter of justice, against the death of a young man struck down in the prime of his youth.

I want to impress upon you, Solicitor General, how important an issue this is for Ottawa-Carleton. As I indicated earlier, over 100,000 people have signed a petition connected with this matter. Mr and Mrs Norris are here today. They've met with your colleague. They are not in any way receptive to any passing of the ball back and forth with respect to this issue.

I believe that you recognize how important it is, and I would ask once again that you commit to calling a public inquiry into this matter at the earliest possible opportunity for the sake of the Norrises and indeed for the sake of the administration of justice in this province.

Hon Mr Runciman: At the same time, in responding, I don't believe this is the kind of issue that should be a political football where we get the kind of catcalls that were generated from that side of the assembly.

I indicated at the outset my clear concern and recognition in terms of the questions that have arisen out of this issue. I made a commitment to pursue it and to find out what avenues are available to us and will take action in an appropriate way and in a very timely fashion.

PARLIAMENTARY PROCEDURE

Mr David S. Cooke (Windsor-Riverside): On a point of order, Mr Speaker: I'd like to raise a point under section 33 of the standing orders, and it's with respect to a question that was asked by my colleague from Riverdale to the Premier. The Premier answered the first question and then referred the supplementary. I do not believe that has happened in the House before. When a minister accepts the first question, the supplementary must then go to that particular minister.

I'd like to specifically refer to 33(d), which says:

"In the discretion of the Speaker, a reasonable number of supplementary questions arising out of the minister's reply to an oral question may be asked by any members."

Obviously, the supplementary has to go to the minister, because the supplementary arises out of the answer given by that minister.

I'm sure it was simply an error made by the Speaker, but I wouldn't want that to stand in the House and I'd like clarification.

The Speaker (Hon Allan K. McLean): I thank the honourable member for raising it. I thought I was right

also. However, we will check the record and the standing orders and we will report back to you.

PETITIONS

CHILD CARE

Mr Tony Ruprecht (Parkdale): I want to present a petition regarding our present child care crisis. This is to the Legislature.

"Whereas the Ontario Tory government has decided to replace our current child care system with one that lacks compassion and common sense and is fraught with many dangerous consequences; and

"Whereas the concept of affordable, accessible and quality child care is a basic, important and fundamental right for many members of our community who are either unemployed and enrolled in a training program or are working single parents or where both parents are working; and

"Whereas if our present provincial government is sincere in getting people back to work, they should recognize the value of the child care component of the Jobs Ontario program and acknowledge the validity of the wage subsidy to the child care workers;

"We, the undersigned residents, business owners and child care providers of our Parkdale and High Park communities, urge the Progressive Conservative government of Ontario to immediately suspend their plans to implement cuts to our present child care programs across our province and restore funding to their previous levels."

I've attached my signature.

CORRECTIONAL FACILITIES

Mr Gilles Bisson (Cochrane South): I have here a petition from a number of people from the community of Monteith in my riding which reads:

"Whereas the government of Ontario has indicated a need to privatize crown assets and programs;

"Whereas the provincial government plans to remove successor rights via Bill 7, therefore enabling widespread privatization;

"Whereas the Common Sense Revolution did not address the topic of privatization of prisons;

"Whereas the Common Sense Revolution did, however, discuss issues related to public safety;

"Therefore, be it resolved that we, the undersigned, petition the government of Ontario to eliminate any rumours of actual intentions to privatizing the provincial correction facilities and therefore ensuring that the people of this province have their peace of mind in knowing that the government of Ontario is still responsible for the safety and the security of the people in those institutions."

I would affix my name to that petition.

RUNNYMEDE CHRONIC CARE HOSPITAL

Mr Derwyn Shea (High Park-Swansea): I rise yet again to present to the Legislative Assembly a petition signed by thousands of constituents in High Park-Swansea, including patients, staff, families of patients and residents, supporting the renovation of Runnymede hospital on its current site.

The petition asks this government to honour the promises broken by the previous Liberal and NDP governments and asks the provincial government to add the promised \$18 million to the \$10-million community contribution that has already been collected or pledged and give Runnymede Chronic Care Hospital its final approval to begin its rebuilding program.

1510

In addition, this petition calls upon the Minister of Health to carefully review the hospital restructuring report, which has been submitted to the district health council, and to note the serious flaws it contains, particularly in so far as it recommends relocation of long-term and chronic care beds that would leave the southwest quadrant of Toronto significantly underserved for long-term and chronic care beds in an area that has an aging population already higher than the average for the city of Toronto or Metro.

I submit this petition with hope the Minister of Health will offer public consultation to respond to the final recommendations of the district health council, and I am honoured to affix my name to this petition.

INFORMATION SERVICES

Mr Rick Bartolucci (Sudbury): I have a petition to support the government of Ontario's information line and the public inquiry desk at 199 Larch Street in Sudbury. This service has been available to northern Ontarians for 17 years and serves all of northeastern Ontario.

"To the Legislative Assembly of Ontario:

"Whereas the government of Ontario's information line and public inquiry desk at 199 Larch Street in Sudbury provides a valuable service to Sudburians;

"We, the undersigned, petition the Legislative Assembly of Ontario to rescind their decision to cut the funding for this service."

It is signed by 800 people and I have affixed my name to it as well.

MINISTER'S COMMENTS

Ms Marilyn Churley (Riverdale): I have a petition to the Legislative Assembly of Ontario which reads:

"Whereas six women present at a meeting held by the minister responsible for women's issues, Dianne Cunningham, at her constituency office on October 25, 1995, agree that they heard the minister state, 'Within the context of this government, you need to understand that groups or agencies that are seen not to be working with this government, providing an oppositional voice...will be audited and their funding eliminated';

"And whereas the minister responsible for women's issues denies having made this statement;

"And whereas the minister's credibility and all future actions and statements will be clouded by these discrepancies;

"Therefore, we, the undersigned, request that the government establish a legislative committee to determine whether the minister responsible for women's issues abused her authority as a minister of the crown by making threatening and intimidating remarks at the meeting described above."

I will affix my signature to this petition.

ST MARY'S SECONDARY SCHOOL

Mr Doug Galt (Northumberland): I have a petition signed by over 1,000 constituents of mine from the Cobourg and district area concerned about a secondary school where there are some 26 portables around it.

"We, the undersigned, support the St Mary's community and the Peterborough, Victoria, Northumberland, Clarington Roman Catholic separate school board in their efforts to complete this school project by September 1997."

HIGHWAY SAFETY

Mr Frank Miclash (Kenora): My petition is to the Legislative Assembly of Ontario and reads:

"Whereas the Minister of Transportation is intent on reducing northern winter road maintenance services; and

"Whereas such downgrading places the lives of northern residents at undue and unnecessary risk;

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow these reductions in service and to guarantee that winter roads across the northern regions of the province receive the necessary maintenance to ensure the safe passage of drivers."

I have attached my name to that as well.

Mr Michael Gravelle (Port Arthur): As winter continues to settle in across Ontario, the people are continuing to express their concern over the cuts to winter road maintenance. My petition reads:

"Whereas the Ministry of Transportation is intent on reducing northern winter road maintenance services; and

"Whereas such downgrading places the lives of northern residents at undue and unnecessary risk;

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow these reductions in service and to guarantee that winter roads across the northern regions of the province receive the necessary maintenance to ensure the safe passage of drivers."

I'm proud to sign my signature to it.

HOSPITAL RESTRUCTURING

Mr Monte Kwinter (Wilson Heights): I have a petition to the Legislative Assembly of Ontario.

"Whereas the report of the Metropolitan Toronto District Health Council Hospital Restructuring Committee has recommended that North York Branson Hospital merge with York-Finch hospital;

"Whereas this recommendation will remove emergency and inpatient services currently provided by North York Branson Hospital, which will seriously jeopardize medical care and the quality of health for the growing population which the hospital serves, many being elderly people who in numerous cases require treatment for life-threatening medical conditions;

"We petition the Legislative Assembly of Ontario to reject the recommendations contained within the report of the Metropolitan Toronto District Health Council Hospital Restructuring Committee as it pertains to North York Branson Hospital, so that it retains, at minimum, emergency and inpatient services."

Mr Speaker, I have affixed my signature.

DRIVER EXAMINATIONS FOR SENIORS

Mr Leo Jordan (Lanark-Renfrew): I have a petition. Two seniors, George and Helen McLenaghan, drove the riding and collected over 300 names for a petition to the Parliament of Ontario.

"Whereas Ontario seniors upon reaching the age of 80 are currently required by legislation to take written and practical examinations by the Ministry of Transportation in order to continue driving;

"Whereas these examinations have placed unnecessary stress and anxiety upon seniors which have resulted in heart attacks and heart failure;

"Whereas medical doctors and family members are fully able to assess the driving abilities of seniors above the age of 80 relative to highways at or below the 400-level series roads;

"We, the undersigned, petition the Parliament of Ontario as follows:

"That the Ontario government permit senior citizens who have reached the age of 80 to continue driving on roads not in excess of the 400 series provided they have obtained the approval from either their family members or their physician."

I affix my signature.

HIGHWAY SAFETY

Mr David Ramsay (Timiskaming): "To the Legislative Assembly of Ontario:

"Whereas the Ministry of Transportation is intent on reducing northern road maintenance and services; and

"Whereas such downgrading places the lives of northern residents at undue and unnecessary risk;

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow these reductions in service and to guarantee that winter roads across the northern regions of the province receive the necessary maintenance to ensure safe passage of drivers."

I will affix my signature to this.

JUNIOR KINDERGARTEN

Mr Len Wood (Cochrane North): I have a number of petitions here signed by members from my riding from Cochrane, Moosonee, Hearst, Kapuskasing, and the theme of the petition is that we are very upset about the direction in which Ontario has been heading since the most recent provincial election. In particular, right now the Conservative government's plans to make junior kindergarten optional for schools really has them worried. They think it's about time the opposition members let their voices be heard on the subject.

I believe from my experience and from the reading that junior kindergarten is essential if we are really to give everyone in our society a chance to succeed. It doesn't take a genius to see that some children are coming to school totally unprepared to take advantage of what is being offered in the classroom. They have no idea how to behave in groups, don't know their colours or their ABCs and are already far behind their classmates. The older these children are when they are first exposed to the basics of schooling, the harder it is to narrow the gap

between their ability to learn and that of more fortunate students.

I have affixed my name to the petition.

COLLEGE OF TEACHERS

Mr Dominic Agostino (Hamilton East): I have a petition signed by teachers at St Bernadette school in the Halton Roman Catholic Separate School Board and members of the Ontario English Catholic Teachers' Association.

"We, the undersigned, are writing to you to inform you that we are opposed to the proposed College of Teachers which the government is intending to legislate. As some of the 130,000 members of the Ontario Teachers' Federation we feel that the College of Teachers is the creation of another level of bureaucracy, the last thing that teachers of the province need.

"The government could be spending its time more productively on the real issues of education such as providing funding for junior kindergarten, a thorough investigation of the amalgamation of school boards and better vocational and technical programs for secondary school students.

"The proposed College of Teachers does not provide a fair representation of teachers and its governing council. The proposed College of Teachers does not provide a fair representation of francophone teachers on its governing council.

"The teachers of Ontario have never asked for a College of Teachers. OTF with certain enhancements could fulfil the powers and function of a proposed College of Teachers. The proposed College of Teachers would impose an annual fee on teachers as well as certain user fees. Most teachers already follow professional development programs and do not need additional bureaucracy to mandate such programs. We ask you to make the government aware of this and state our opposition to this proposal."

1520

DRIVER EXAMINATIONS FOR SENIORS

Mr Marcel Beaubien (Lambton): I have a petition similar to my friend's the member for Lanark-Renfrew. It reads:

"Whereas Ontario seniors, upon reaching the age of 80, are currently required by legislation to take written and practical examinations by the Ministry of Transportation in order to continue driving; and

"Whereas these examinations have placed unnecessary stress and anxiety upon seniors which have resulted in heart attacks and heart failure; and

"Whereas medical doctors and family members are fully able to assess the driving abilities of seniors above the age of 80 relative to highways at or below the 400-level series roads;

"We, the undersigned, petition the Parliament of Ontario as follows:

"That the Ontario government permit senior citizens who have reached the age of 80 to continue driving on roads not in excess of the 400 series provided that they have obtained the approval from either their family members or their physician."

AMALGAMATION OF SCHOOL BOARDS

Mr Mike Colle (Oakwood): This is from the citizens of Oakwood:

"We, the undersigned, are against the proposed amalgamation of our Board of Education for the City of York with the Toronto Board of Education and the East York Board of Education.

"We, the undersigned, do not want to be part of a proposed new board of education with a student population of over 110,000. Amalgamation would not realize the expected cost savings. The actual process of amalgamation would be lengthy and costly. It would also decrease the responsiveness of the board to their students, parents and community.

"We do not want to pay higher taxes to run a large board. We do not expect to receive more provincial funding from a government who is cutting back on all expenses. We want to keep our special programs. We want to keep providing our seniors with courses in the schools at no cost. We want to keep our before- and after-school programs. We, the citizens of York, want to say no to amalgamation."

COLLEGE OF TEACHERS

Mr Dominic Agostino (Hamilton East): I have another one, from the Dufferin-Peel secondary unit:

"It has come to the attention of the executive of the Dufferin-Peel secondary unit of the Ontario English Catholic Teachers' Association that the government intends to table legislation regarding the College of Teachers.

"As elected representatives of 1,500 teachers, we wish to express our opposition to such a tabling. The teachers are unilaterally opposed to such legislation in that it obstructs the whole concept of self-government and the basic Canadian tenet of democracy.

"Accompanying this letter are numerous responses from constituents who are also members of our organizations and are in fact supportive of the executive's views.

"We therefore urge you to oppose the proposed College of Teachers."

INTRODUCTION OF BILLS

LEGISLATIVE ASSEMBLY

OATH OF ALLEGIANCE ACT, 1995

LOI DE 1995

SUR LE SERMENT D'ALLÉGEANCE
DES DÉPUTÉS À L'ASSEMBLÉE LÉGISLATIVE

Mr Agostino moved first reading of the following bill:

Bill 22, An Act to provide for an Oath of Allegiance for the Members of the Legislative Assembly / Projet de loi 22, Loi prévoyant le serment d'allégeance pour les députés à l'Assemblée législative.

The Speaker (Hon Allan K. McLean): Is it the pleasure of the House that the motion carry? Carried.

Mr Dominic Agostino (Hamilton East): I'm certainly pleased to introduce the bill. I urge the House to support this. It is a bill that will enhance, I believe, our concept of national unity. It is a bill that will allow us the opportunity not only to pay tribute and to continue to understand and respect our heritage in regard to Her Majesty Queen Elizabeth II, but add to Canadian unity by

also swearing allegiance to our country, as is customary in most countries throughout the world.

ORDERS OF THE DAY

INTERIM SUPPLY

Mr Eves moved government notice of motion number 4:

That the Minister of Finance be authorized to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing December 1, 1995, and ending April 30, 1996. Such payments to be charged to the proper appropriation following the voting of supply.

The Speaker (Hon Allan K. McLean): Mr Eves, for up to an hour and a half maximum.

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): Mr Speaker, I won't be anywhere close to an hour and a half, you'll be pleased to know, and I'm sure members opposite will be pleased to know that as well. My remarks are going to be extremely brief. I just want to outline the circumstances, so there is no misunderstanding, as to the situation in which the government finds itself and why this motion is necessary here today.

Normally, what would happen is a supply bill would be passed, but as members opposite will certainly know, a supply bill can't be passed until the estimates of the ministries, as put before the Legislature in the estimates committee and concurrences, are agreed to.

Of course, an election having happened on June 8 of this year and the new government not having taken over until June 26 of this year, the estimates, which of course were introduced, like the circumstance that the Liberal Party found itself in in 1990—almost identical circumstances—what happens is that the estimates of the previous government are initially tabled and put forward. That is exactly what we did, and then supplementary estimates are put forward, and that is again exactly what we did, to account for the difference between the previous government's estimates and the expenditure levels that we plan on having as a government during this fiscal year.

But still, according to the standing orders of the House, last week, I believe last Thursday, was the day in which estimates would have been deemed to have been passed. We had just reached an agreement among the House leaders Thursday morning to send them out to committee. We have agreed to give the estimates committee—a rather unusual circumstance, but then again much similar to what happened in 1990—the time they need during the winter break to go through all of the estimates, as outlined in the standing orders, and to go through the concurrences for six hours as they're deemed in the standing orders, or outlined in the standing orders would be more appropriate wording, I would suggest.

So we're doing all of that, but we can't pass the supply bill until all of that is done, and that won't be done until after the Legislature resumes in the spring. Therefore, the government finds itself in a position, of course, where it needs funding, moneys to operate. Most members are aware that the motion for interim supply provides government with the authority to make payments to hospitals,

physicians, school boards, municipalities, suppliers, civil servants and many others. These payments, currently, are being made under the authority of a special warrant, which was issued on July 1 of this year. Members will also know that special warrants can only be issued when the Legislature is not in session. So that avenue is not open to the government either, in terms of funding.

Motion for interim supply is required now because this warrant only covers payments up to November 30, 1995, and as I indicated, the supplementary estimates tabled with this House earlier this month cannot come into effect on December 1 without the passing of an interim supply motion.

To ensure that all payments scheduled on or after December 1 are made on time in all parts of the province, and particularly I refer to more remote areas of the province such as northern Ontario, it is necessary to provide the banking system with some lead time. The practice has been to give at least five working days to ensure that all payments are received on time. Scheduled payments earlier in December include, among others, payments for general welfare, transfers to hospitals, school boards and children's aid societies.

To ensure that the province meets its obligations in an orderly fashion, I hope that members on all sides of the House will be supportive in ensuring that this motion is passed in a prompt and expedient fashion so that these things can indeed be taken care of.

I would like to also point out that it has been the practice in this Legislature that normally interim supply is a subject matter which, most of the time, receives about one day's debate. As a matter of fact, the last interim supply motion of the previous government, the government that immediately preceded us, in December 1994 lasted all of about 15 minutes. So that is the length of time—I want to put things into proper context, not to say that there has never been one that has gone on for more than a day, because I'm sure that members opposite will remind me that on occasion there has been, but that isn't the norm. The norm is approximately one day for interim supply.

I did want to outline the circumstances behind which the government finds the reason for moving this interim supply motion, and I will be interested in hearing what members of the opposition and indeed members of the government have to say on this motion.

The Deputy Speaker (Mr Bert Johnson): Questions or comments? No? The Chair recognizes the member for St Catharines.

1530

Mr James J. Bradley (St Catharines): Thank you very much, Mr Speaker, for the opportunity to speak on a supply motion. One of the advantages to members of the Legislative Assembly is that supply allows members to discuss a very wide range of topics, because what the Minister of Finance is asking for is permission to pay various bills the government has. In that context, I always enjoy the opportunity to speak on a variety of subjects without being called to order for straying from what one might think would be the only topic one could discuss.

Hon Mr Eves: Are you giving a hint to the Speaker?

Mr Bradley: I do want to assure him that I don't expect the Minister of Finance will have the time to sit through the entire address this afternoon, because I do intend to cover a number of topics. I know he will be back in his office watching on his television monitor to hear what is being said or will read the Hansard in detail tomorrow, but I do want to discuss a number of matters that relate to general government policy and some that are a little bit specific to my riding although they have ramifications across the province.

What is interesting is that the government has to now borrow money to be able to carry out its responsibilities. That's because the government is at the present time carrying a deficit and anticipates that there will be a deficit for a few years to come. One thing where I think there's a consensus in the province is that there must be control of expenditures, that there must be a very careful examination of each of the ministries and each of the programs and each of the projects, and then the government will establish what it considers to be its priorities.

This is indeed important. If you think of it, even the previous government, under which the debt in the province increased by about \$50 billion, was making an effort, in its latter days, to reduce its expenditures in very difficult economic times.

Mr Gilles Pouliot (Lake Nipigon): We sure got some help from you guys; we got a head start. Tell us about your "balanced" budget.

Mr Bradley: It is always easier to balance budgets in good economic times, more difficult in challenging economic times.

Interjection.

Mr Bradley: The member for Etobicoke-Rexdale, who is interjecting, would know that the only time that we had a budgetary surplus in Ontario since 1971, and the majority of those years would be under Conservative governments, was the 1989-90 fiscal year, and deficits during the period of time of not necessarily the previous government but the government before that were confined to capital expenditures and that the operating expenditures were balanced.

When I look back to 1971, when Premier Davis assumed office, I know he probably wanted to balance his budget in each of his 13 years as Premier, but he did not do so in any one of those years. In fact, on a per capita basis the deficit was significantly higher in 1982, for instance, than it was in the governments subsequent to it.

I don't want to dwell too much on the past, but I hear this mythology purveyed in this House, because there's a script for all of the ministers, including the Premier, that they must talk about previous years and how the previous years were not necessarily good for Ontario. In fact, the greatest period of economic growth in the province of Ontario occurred between 1985 and 1990. We had an unprecedented number of jobs being created across the province during that time.

Mr Pouliot: Thirty-three tax increases.

Mr Bradley: Everybody I spoke to at that time was relatively pleased with the state of the economy. Yes,

there were some tax increases, as there were under the Conservative government, but the feeling was that if programs were to be established or expanded, if new services were to be provided at the request of people, if new needs were to be met, it should be on a pay-as-you-go basis. The other basis would have been to allow the deficit to balloon to unprecedented levels, and that was not the choice of the government.

I well recall, as well, sitting in this Legislature listening to Conservative member after Conservative member—the member for Lake Nipigon will remember this, as will the member for Nickel Belt, who is here now, and the member for Oriole. Virtually all the questions that came to the previous government of which I was a part were asking the government to spend more money.

Day after day after day there would be questions: Why aren't you expanding this program? Why aren't you initiating this project? Why don't you provide more funding for this good cause or that good cause? I listened very carefully to those representations, and sometimes I thought they made a rather good case and so acquiesced to Conservative suggestions that there should be some increases in various areas, but knowing that they would have to be paid for with some tax increases.

As Minister of the Environment, I knew that member after member, within his or her own constituency, had requested more money. The members of Toronto city council, Metro council, were consistently asking for more money from the provincial government because they did not want to raise their municipal taxes. But time after time I had to do it.

Mr Derwyn Shea (High Park-Swansea): Not even once—never asked for any money.

Mr Bradley: The member now for a west Toronto riding, High Park-Swansea I believe it is, was a member of a council that asked for money from the provincial government and was concerned about the level of expenditure the provincial government would provide to the municipalities. In fact, if there was not an 8% increase for hospitals or municipalities or school boards or other transfer agencies, there was great consternation out there.

We tried to meet some of the pent-up needs there were. There were some programs established, and now each new government has to look at those. The NDP government, never known in opposition for wanting the government to decrease expenditures, had in fact under the previous Treasurer undertaken some significant cuts. I'm sure the Treasurer of this province did not want to cut some of those programs and projects which were so beneficial to so many communities, and I know that even he was confronted by some members of the Conservative Party even during his time of office who requested that the government spend more money in a specific area.

The previous government—I'm always fairminded in this House and like to give some credit—was making some significant cuts that did not bring a smile to the face of the Treasurer or of others within the government, but they made those cuts. I, for instance, like to share that information with the labour council when they ask questions about what this government is doing and

explain to them that even the NDP had to cut and I know they didn't want to.

I know the labour council was a little more diplomatic in its criticism of the government, although I saw in the paper that Bob Rae is still not welcome at the OFL convention. I would hope they would invite him next time around when they find out that he was simply trying to do a job on behalf of the people of the province. But the previous Treasurer—who will speak next, I believe, for the NDP—will talk about those years with a little more respect than I might be able to conjure up.

I think everybody recognizes, at every level of government, that we must look carefully at all the expenditures. The balance is that you have to be careful when you're cutting that you don't initiate a provincially initiated recession, because if you take a lot of money out of the system all at once in huge chunks, there is the danger that you could have a very, very dampening effect on the economy. Your hope will be that the private sector will take up the slack and move forward. But I've talked to some small-c conservative economists who worry that by cutting so drastically and so quickly there is a distinct possibility of a recession in the province or at least the recovery not coming back as we would all like.

I caution the government in that regard. We recognize that there are going to be cuts. For anyone to say we can simply continue the level of deficit we have today is unrealistic. I recognize that; others recognize it. It's where you do the cutting, how you do the cutting, how quickly, how drastically. That's essentially where the quarrel will come in this province.

I think the government is moving far too quickly and far too drastically in its program to cut, and I understand that politically that's good to do. I'll talk in a moment about why I believe the government is cutting so deeply.

1540

The government's been embarking on welfare cuts. One area where I was particularly critical, because I thought it was an area where there was some considerable abuse—and it's not popular sometimes to say it—was in student welfare. The program, in its concept, was reasonable. Students who were badly abused in a home situation and were prepared to go to school and attend appropriately, make the appropriate effort, would have that opportunity between the age of 16 and 18 to be able to carry on independently if they were unable to stay at home.

What happened, of course, as can always happen with these programs, is that a well-motivated program turned into one which was causing great problems, as you had some young people who simply did not want to live by the rules of the house and took a hike, and the parents may have even been persuaded, let's say, by the young people's actions to have them leave. Sometimes it was a mutual parting and sometimes it was simply the young person not wanting to live under the rules.

But there were some cases, and I think the teachers in the school system will be able to point those out, where there was very significant abuse in the home, where there was an untenable home life, and the student really wanted to work and was prepared to carry on. Unfortunately, the

level of abuse in the program was so high that the government has had to move, and I don't criticize the government at all. I say the government had to take that action. I hope there is still opportunity in those very genuine, narrow cases to carry on, but I do believe the government moved in the right direction there.

Not everything the government does, as far as those of us in the opposition are concerned, is wrong. There are programs that have to be examined. That's why I say here was a program that needed examination, the government took some action that had to be taken, and I think the program will be better as a result.

Most people out there, by the way, virtually everybody, would want to see abuse removed. Where there are people abusing the system, not entitled to government payments, people are prepared to see government act upon that, and act quickly and act quite drastically in that case.

Where you would find less support is the government cutting by almost 22% the allocation of people who are genuinely receiving social service benefits. A 22% chunk is a big chunk to take out. Generally, the public might have accepted some kind of trimming in there, but 22% is quite drastic, coupled with the fact that there are cuts in child care for people who required child care so they could be in the workforce, because the choice essentially for some was to either be in the workforce or to be at home, and child care allowed some of them to be in that workforce. I'm worried about those programs, because all of us want to see as much as possible people in that workforce doing something productive and useful and meaningful to themselves and to society. So that becomes a problem.

What you're going to do at the same time is remove rent controls. That sounds good in right-wing theory and marketplace theory. In the best of all worlds I suppose the marketplace would dictate what those rents shall be. We all recognize, however, that in many municipalities, particularly Metropolitan Toronto, when rent controls are removed, as you say they're going to be—and the member for York-Mackenzie I thought asked a good question today on that: What are you going to do for senior citizens who will lose certain accommodation? If you combine those things together for low-income people, it becomes a problem. That's where I think you have to look carefully at what you're doing before you proceed.

It's the same as workfare. If you went out and asked anybody on the street I live on or the street you live on, "Are you in favour of people working instead of being on welfare?" they're going to say yes. The actual implementation of the program is going to be interesting. It's going to work for some people if you can create some meaningful jobs for them, and it's going to help them out, but it has to be very carefully advanced and implemented, because in many jurisdictions it hasn't worked and has cost the taxpayer more money in the long run.

I said I didn't want to dwell on the history, but when I keep hearing the history referred to in this House, I think of an oil company we bought in the province of Ontario.

Now, if you had said the NDP was going to buy an oil company in the old days, I would have said, "Yes, I believe it," because they were going to nationalize Inco and they were going to bring in public automobile insurance and so on. They were quite radical in some of the rhetoric. Having assumed the reins of power, however, practicality took over. Not all of these people are wild-eyed, radical socialists. In fact, as I look around the House, I see some who could never be defined as radical, wild-eyed socialists, who might well fit into another party in the Legislature.

But for the life of me, there was a Conservative government buying a big portion of an oil company; I think it was \$350 million for Suncor. Some of the members here today, including the Premier, sat in the government caucus and must have acquiesced, because it came forward and there were great rounds of applause for that.

Then I remember the same people here—probably there were objections in the back room, but they were purchasing a jet, a Challenger jet for the comfort and convenience of the Premier, members of the cabinet and senior government officials. They had it being constructed in Houston, Texas, and I would get up almost daily in the House to ask the Premier of the day, a Progressive Conservative Premier, if indeed there were significant alterations being made to it to make it more comfortable for members of the cabinet and senior government officials.

The government was proceeding with this. I think it was \$15 million or \$16 million. Day after day, questions would come in the House, and then at long last the Premier rose in the House one day and on page 16 of the statement he said he had, as a magician, converted a Challenger jet into two water bombers and said that was the idea all along, that they'd use them as water bombers.

Of course, my friend the member for Nipissing, who is known in his town as Mike Harris, was a member of that government, as he was a member of the government that purchased Suncor. But I don't want to get too much into that, because if I did I would have to talk about a 35% increase in OHIP premiums initiated by W. Darcy McKeough, the former Progressive Conservative Treasurer of this province and a variety of taxes which were implemented.

In retrospect, am I critical of all of those taxes? I suppose if I wanted to be unfair I should be critical of every one of them. But I knew that the government, if it was going to bring new programs in, beneficial programs and projects, would have to get the money from somewhere. So they brought in those taxes, and they were controversial at the time. They've blurred in the memory of the members who are sitting here today who sat in that government, and those who are newly elected, the new reform caucus, of course do not take those into consideration at all. I thought I would share that with some of the members who perhaps had forgotten.

The member for Carleton is sitting across from me. I will be addressing him—through you, Mr. Speaker, of course—in a complimentary way a little later on in the speech, and he'll be delighted to know that.

What I believe people are looking for in the province, and your government will have a difficult time with this, I believe—I hope I'm wrong, but I think you'll have a difficult time with this—is the issue of fairness. One thing you can count on from the people of Ontario, I believe, is their desire to be fair to everyone in the province. They don't want one group to be getting something that another group isn't getting, and that's going to be important. That's why this issue that came before the House last week was of significance.

Our Finance critic, Gerry Phillips, the member for Scarborough-Agincourt, and the member for Hamilton East both raised the issue of how you treat cheating. In one case there were specific instructions given to members to put these posters up in their office and public places about a snitch line. If somebody was breaking the law on welfare, you could phone in and say, "This person is doing that," or is suspected of it.

1550

But along came the auditor—and the auditor is totally independent of all of us; every government ends up disliking the auditor eventually, not on a personal basis but the reports the auditor brings forward—and the auditor said there was a major problem out there with another kind of cheater: a person who didn't pay the taxes assessed to that person.

Now, in terms of fairness, I would have thought the government would have been equally aggressive in dealing with that kind of lawbreaking as it would with those who are at the lower end of the pay scale who are attempting to obtain, in a fraudulent fashion, some social service payment. So both are extremely important.

I believe that we have a situation in the province where we have to—

Mr John Hastings (Etobicoke-Rexdale): They're all crooks.

Mr Bradley: The member for Rexdale says that they are all crooks. I don't know who he's talking about—"They're all crooks"—but I think people simply look for fairness, that if one group is going to be treated in one way, another group is going to be treated exactly the same.

You know who else is going to be in favour of the government following the recommendations of the Provincial Auditor? The other person who is going to be pleased with this is the person who has paid his or her taxes: good, solid business people who've worked hard, who've assessed taxes, who've been asked to collect taxes on behalf of the government. Those people are going to say, "If somebody else is evading taxes, that probably means I have to pay more." So those people, in fairness, will have to make sure that things are going right, that things are going to be set.

Next I wanted to deal with the issue of health care. I think if you asked a cross-section of the population of this province what is the most important expenditure that they would have, overall they would say, in the field of health care, that they want a good, solid health care situation.

Interjection.

Mr Bradley: You should have been elected for the Reform Party in Ottawa. You could barrack at the underprivileged there much easier than here.

What you want is a situation where everybody has good access to health care in this province on a fair basis, not one for the rich and one for the rest but a fair system where, when people are ill, those people are able to obtain the necessary health care and they can do it across the province.

I think you will find, if you talk to people about this—not simply the rich, not simply those who've trampled on everybody else all their lives—if you ask the average person in this province, those people are going to be prepared to see their tax dollars go to a good health care system. Under the Conservative government I think there was a recognition of this under Premier Davis, and subsequent governments built upon that system.

It's generally conceded, and I think people south of the border look upon us with envy in this regard, that Ontario has had over the years a good health care system. All of us want to ensure that that health care system is maintained in that fashion, not, as I say, so if you're rich you go to a special clinic and you get service right away, but if you don't have that kind of money you don't get that kind of service. I don't think we want to see that kind of system in this province.

There may be some people who do want to see that, and I know that's the philosophy of some people in this province, that in fact they believe that if you're rich and privileged you should be able to go to the front door and get the service right away, while the people who don't have that privileged position or that money shall be at the back of the line. That is one of the reasons I'm in this Legislature: to fight that kind of thinking and the implementation of that kind of policy in this province.

So, I think again, if you talk to fairminded people across this province of all political persuasions, they would in fact tell you that health care is an important investment for all of us. Yes, the dollars have to be spent carefully. Yes, there have to be the important efficiencies. But I believe that, overall, people want to see a good health care system and are prepared to pay for it.

I look, I guess with some degree of interest, at the Ministry of the Environment and what's happening with that ministry. We have seen a situation a number of years ago, and I'm sure the former Minister of the Environment, and the member for Etobicoke-Lakeshore is here, would have liked to have had the resources to carry out his responsibility appropriately. He was interested in the environment. He probably requested that position. He probably asked for that position. He had a little bit of a spill on the way that caused him—

Mr Floyd Laughren (Nickel Belt): Ah, let's not push it, Bradley.

Mr Bradley: I don't say that in a negative way, because it wasn't his fault but it happened, and he made a—call it a glib comment about it, and there was a lot of focus of attention on it. Now, that doesn't mean the member wasn't interested in the environment. He was, and he probably looked upon the initiatives in the

Ministry of the Environment in the subsequent government with a good deal of satisfaction.

Again, there were two sets of people who were pleased to see these initiatives: one, the general population that sees an improvement in the environmental situation in the province; and two, if you get into the business sector, it was those companies who were being responsible, who had spent the dollars, who were prepared then to see others follow the same rules.

I get concerned when I hear that they're going to be what you call business-friendly now, because that conjures up pushing aside environmental regulation, environmental legislation and the fair enforcement of those laws. I know that there have been considerable cutbacks in terms of the staff that's available in the Ministry of the Environment, in terms of the resources available and the clout that ministry has, and that is negative for the people of this province, in my view, and we will pay for it in the long run.

As well, I want to get into the idea of the cuts, because that leads into it, the Ministry of the Environment cuts. I don't envy the Minister of the Environment of the day, because clearly it's going to become a junior ministry again, and when the Ministry of Transportation barks, the Ministry of the Environment will be on the run. That's the way it used to be years ago.

I know if I were a land developer who wanted to get things done very quickly and have a minimum of concern with the environmental implications of what was going on, I'd be delighted. I would be applauding vigorously the removal of the provisions of Bill 163. I would be applauding vigorously the fact that the Ministry of the Environment is being gutted. That would be a delight, because then I could simply trample over all of the regulations that were there in the past, all of the rules that were there to protect the environment, and simply proceed with my development as I saw fit.

Now, I want to mention why I believe this is happening. I think the cuts that you're making, the degree of the cuts and the quickness of the cuts, are related as much to the tax break as they are to the deficit.

I can't think of anybody in the province in his or her right mind who doesn't understand the need to address the deficit. I think there's a consensus out there. Certainly the people I talk to recognize that, and when I express on occasion some support for particular initiatives the government is taking in that regard, they understand that and are reasonable about it.

But what's going to happen, which is very strange, and I don't think a lot of people know this, is that the government of Ontario is going to borrow \$20 billion—they're going to pay \$5 billion in interest—so they can give a tax cut to people. The tax cut of course will benefit those in the highest income brackets the most.

That is difficult to understand, because, again, I talk to a variety of economists out there who, I think, are small-c conservative, and those people tell me that the province simply can't afford a tax cut. I'm not talking about James Laxer. I'm not talking about Maude Barlow. I'm not talking about people on the left wing. I am talking about

people who are small-c conservative economists who are saying, in their opinion, if we're to deal appropriately with the deficit, we cannot afford to be providing a huge tax break for people in this province. I know that you can keep—

Mr Hastings: Name one.

Mr Bradley: I would say that the whip for the government side should allow the member for Etobicoke-Rexdale to speak, because I would be delighted to hear his opinions and I would be delighted to send them to my constituents, who I'm sure would be happy to hear the opinions of the member for Etobicoke-Rexdale. I look forward with anticipation to his contribution to the debate. I will help him out; I will speak to the chief government whip to ensure that he gets a chance to speak if he wishes to do so, because I think the people of this province deserve to hear from the member for Etobicoke-Rexdale.

1600

When we look at it, if you said you are addressing the deficit with your cuts, people would agree with it. But you're going to borrow \$20 billion so you can give a tax cut to the people of the province, a tax cut that will benefit the rich and the privileged to the greatest extent.

The services that are lost, the services that the middle class requires in this province, not necessarily the rich—

Interjection.

The Deputy Speaker: Would the member take his seat, please. The member for Etobicoke-Rexdale will come to order.

Mr Bradley: Thank you, Mr Speaker, for your very helpful intervention. But the Speaker reminded me, as he rose, I may be able to get on to another subject to help him out, and that is the subject of jail closings, if I can remember to come back to that, and bus service. I will try to think of both of those if I can.

Interjection.

Mr Bradley: That's good. No, I'm happy to see that; it's very good to see that.

Let's go look at the schools, the colleges and universities and things of that nature. One of the initiatives the government is looking at—in fact, it was an initiative that was taken by the previous government when the member for Windsor-Riverside was the Minister of Education and Training—is the amalgamation of school boards.

There's this theory out there—and I remember when the previous Conservative government was implementing regional government there was this theory out there that bigger was better, that somehow regional government was going to be the solution to all of our problems. So they amalgamated a lot of municipalities together, and we know what happened. Since the people working there had more responsibility, they had to have more pay and they had to have more staff. So we saw, at least in the early days, some significant duplication.

The amalgamation of school boards is being advanced by some. Even in the commission appointed by the NDP, some in that commission thought it was reasonable that somehow if you cut the number of school boards, you're

going to save a lot of money. Indeed, if you were going to save a lot of money, there would be virtue to it.

But there isn't always virtue to it, and I simply caution the government to look carefully at whether you're really going to save money or not save money, because what you lose, and I think people in smaller communities recognize this better than those of us even in the larger communities, is some of the local control, some of the local input into education, as you have a huge board that makes those decisions. I think a number of members will recognize that. So I would caution the government on amalgamation. It may be useful in certain circumstances, it may not be in other circumstances, but it's not a holus-bolus, "Take all of the recommendations from the commission" solution.

I look as well at the colleges and universities. I'm told by people in the business field that what we need is a highly trained, highly educated workforce for the future if we're able to compete in a global economy. Again, I think we have to look carefully at all of the expenditures that are made. But I see a circumstance arising where, first of all, there's a move away from junior kindergarten and addressing the needs of those young people. I must tell you, I used to be a bit sceptical of the argument that was made for early education at that age; I really was. But I've listened to a number of different sources. I've gone out to some health forums, for instance.

I remember Dr Fraser Mustard, who used to be the dean of the medical faculty at McMaster University, made a very compelling case. He brought studies from around the world which showed the benefit of getting to these children at an early age, particularly where many of these children come from disadvantaged homes. Each of the studies showed that if you were able to turn the kids on to education, if you were able to make that early difference, it really helped throughout and it diminished the chance of social problems later.

Now, as I say, you're looking at a person in this House who was a bit sceptical of this to begin with. Now, when I look at the independent studies that are out there, as I think we all have to do, I have to look at new ideas and perhaps change my thinking on some of the issues that come before me in this House. I can't simply maintain them over the years when circumstances change.

But I think if you look at the number of kids out there who are in disadvantaged circumstances, it's to society's benefit to have that early intervention. I wouldn't have said that in this House even five years ago, but having attended a number of these forums where there were people of various backgrounds making the case, I've now come to that conclusion.

Grade 13 is always a dispute. Some members of this House who have been here a while will remember that grade 13 has been abolished by at least three different governments, and it still seems to be there. I think the system has been fine-tuned to the extent that students today who wish to make it through in four years, exceptional students, can do it with the semestered system. That's positive. But there are students who are not exceptional as academic students or who have circumstances at home that compel them to have to do some

work, where it may be advantageous to have them have what we used to call grade 13, or at least the OACs.

As the government looks at that carefully, I hope they will not simply jump at it as a solution, because what we will find is those kids will spend more time in university than they did at the high school levels.

Another thing that some of the people at universities will tell you—not everybody, but some of the people at universities—is that kids coming out of our system are generally more mature and generally better prepared for post-secondary education having had grade 13. That's not with everybody; every young person is different. There's a pretty good consensus out there that this has helped them in their post-secondary education, which is why I hope the government is cautious in that regard.

The colleges and universities have a very significant role to play in making us a competitive society, and while they cannot expect that they're going to get the kind of funds they would like, I think it's important to maintain a strong education system.

There are some other areas where cuts have been made where in the short run the government is going to gain an advantage. I'm not convinced in the medium- and long-term run that's going to happen. I know every social agency makes the case that if only you spend in that area, somehow the problems will not come up later on, and I know all governments have to face that, but there are some instances I've seen where this is the case.

I was quite surprised that the government abolished halfway houses. The member for Lincoln, Frank Sheehan, who has worked very well in the field of working with the John Howard Society—he's been a strong supporter of the John Howard Society over the years—was the chairman of the halfway house in St Catharines. It was a good program. I talked to some of the people who worked in the program and some of the differences it made.

I thought the advantages of the halfway houses—almost entirely for society, but also for the people who were the so-called clients—were the following: First, it's much cheaper to keep people in a halfway house for a portion of their sentence than it is in a jail, and second, it's a much better integration for our society to be able to do that.

I think of it now that I know they're going to have these ankle bracelets or something like that so that you can monitor where they are. What they don't get is the counselling and the help of the job. John Howard has done a great job in our area. Jim Wells—and Jim Wells is a good Conservative supporter—has been a strong worker with the John Howard Society over the years. I'm sure he must be pained, though I can't necessarily speak for him, by the loss of the halfway house in St Catharines, because I think it helped society.

1610

If somebody were moving back to my street, I would rather have a person coming from a halfway house, having had some encouragement and counselling and some supervision, coming back into the neighbourhood than I would coming right out of the penitentiary or out

of a provincial prison who would have had none of that. I would be much more apprehensive about that. That's why I question the wisdom of that particular cut.

In St Catharines we have a place called Bethlehem Place. It was established largely by church people and other people in our area, the council of churches. By the way, many of the supporters of the Conservative Party were people who worked to have Bethlehem Place. It's what's called second-stage housing; a lot of us don't necessarily know the terms used out there. They had turned people's lives right around. They had, yes, a building, and the building's important enough, but what was more important were the counselling and the program there. They took a lot of people where other people had failed; the other people couldn't handle them, so they'd send them to Bethlehem Place. The rules were tough, the counselling was good, and you had people completely turned around.

There's a lot of support in the community for it. I'm getting a lot of letters today on this, and you don't get this for everything, I can tell you that; it depends on how much support there is in the community. And it's not an organized type of thing; different kinds of letters are coming to me. The churches particularly are concerned about this loss of second-stage housing.

I think this is penny wise and pound foolish; the British use the term. When I think of the excellent work Bethlehem Place has done over the years, I really lament the fact that it's losing \$150,000 a year in funding for counselling.

I've heard some of the Tories locally say, "It's time the churches took this up," or "Wouldn't it be good if the private sector or volunteer people came in and took over?" Not a bad suggestion if there weren't other problems, but since there are cutbacks in all the service agencies in our community, everybody needs more money from the volunteer sector and everybody needs more resources and time from those in the volunteer sector. So it really doesn't help Bethlehem Place to say: "Oh, we have this wonderful new plan. All these people are contributing and everything will be fine." It might even be fine for one year, but you can't carry on like that forever.

Another is family and children's services. When the government, for instance, cuts its student welfare, there are some people now who are going to come under the auspices of family and children's services, yet they are seeing cutbacks at a time when the number of their clients is increasing considerably. I think society may well pay the price for that down the line.

Bill 163 is rather interesting. I disagreed with some of the things the NDP did and I agreed with others. Bill 163, the changes to the Planning Act, are rather interesting. I don't like saying one person has to be right, and I know there's a very legitimate difference of opinion on this. I am concerned that we are going to see mistakes made that cannot be handled later on except with a lot of cost.

Let me give you an example. I've seen subdivisions built right beside old landfill sites. Kitchener is one example of that.

Mr Morley Kells (Etobicoke-Lakeshore): What era?

Mr Bradley: Probably every era right along the way, I would guess, probably since subdivisions started out.

I remember what happened in Kitchener, for instance, where a subdivision was built in Kitchener and then we had the methane gas problem. I think there was an explosion and there were some real problems and the cost was very heavy.

The former minister—he wasn't the minister at the time—will remember Smithville, where the huge PCBs—

Mr Kells: Do I ever. Half the PCBs in Canada were in Smithville.

Mr Bradley: He says half the PCBs in Canada were put there—very unwisely. He inherited this from his predecessor, couldn't help that, but the PCBs were located there and we spent millions of dollars on the cleanup. If appropriate action were taken in the first place to avoid the problem, we wouldn't have had this huge expenditure, and time and again we see this happen.

With Bill 163, I see a major problem arising. I used to read the Urban Development Institute newsletter my friend the member for Etobicoke-Lakeshore put out. I know my friend Bob Nixon appreciated his newsletter in which he said "the best Premier Ontario never had," or words to that effect. I remember that one well.

I used to read it. I didn't always agree, but I knew the name Morley Kells. I had served with Morley Kells. He'd been a colleague in the House, albeit on the other side of the House, and I always found his writings to be interesting, especially a recent one in the Toronto Star, right after the cabinet was chosen. That was excellent. I framed that one. That's good, because he's an independent-minded member.

One thing you'll find in this House, Mr Speaker, is that there's a lot of respect for independent-minded people. I don't mean people who are constantly a thorn in the side of the government or party of which they are a member—

Mr Laughren: Name names.

Mr Bradley: I won't get into names. But there is a respect for people who have an independent judgement, an independent analysis. Having said that, I know the member for Etobicoke-Lakeshore will want to use it in his next brochure, but he provided that.

I believe that Bill 163 had a lot of provisions that were beneficial. Yes, where there was a useless holdup of development just because things sat on somebody's desk, that didn't make any sense and the streamlining of that was important. But I fear that some of the environmental provisions and conditions in there will be removed and again we'll see taking place the kind of developments that aren't beneficial to the province.

No matter who's in power, one thing I can say about the provincial authority is that it's independent and it's objective when it's weighing decisions. It's much easier to influence the local council than it is to influence an independent body such as the Ministry of Housing or the Ministry of Environment or the Ontario Municipal Board. It's an independent judgement that is rendered, and I think that's exceedingly important.

I think we'll pay for the changes this government is going to bring about in Bill 163 with some rather unfortunate developments. Some may be good and I'll be happy to see them, but I think we'll see some unfortunate ones.

The reason I get to that is that I am one who believes strongly in saving prime farm land. To do that, you have to save the farmer. That's most important. I don't think you can simply say to the farmer, "Here's the circumstances you're in and you're stuck there." You have to be prepared to assist the farmer.

One of the things in our society we haven't been prepared to do is pay the farmer the price that's fair for his food. I'm probably as guilty as everybody else, and when I go into the supermarket I'm looking at price as well as other things. Because we have a farming area in our area, I tend to look at where things are grown, and just because it says "Canada No 1" doesn't mean it's Canadian-grown. I've looked at it, and I find the quality of our product is very, very good, and I am from time to time prepared to pay a little more.

Mr Mike Colle (Oakwood): Did you find any tuna for 69 cents?

Mr Bradley: I have not found any tuna for 69 cents, but that doesn't mean there isn't any out there. I just haven't found any.

For instance, there's a proposal by the regional municipality of Niagara which I think is not going to work, and that proposal is to start granting severances. Those people who live in rural areas, like the Niagara Peninsula, know what happens when you grant severances. You have the urban people moving out to the area, and the urban people move out and start complaining about the farming practices. They don't like the odours, they don't like the dust, they don't like the noise, they don't like the territory, but they like the fact that they're out of the city and it's a bit quiet.

1620

I remember one of the very difficult times I had—and as Minister of the Environment, I did not interfere and would not interfere with prosecutions, but our ministry was in the middle of prosecuting somebody with a bird banger that was simply a noisemaker to keep the birds away from the cherries at that time. It's a loud noise and annoying noise, but it's part of the farm operation. I was delighted to see that in fact we had a resolution of this problem.

My friend the member for Grey-Owen Sound sits beside me now. When I mention the word "severance," what comes to my mind immediately is my friend the member for Grey-Owen Sound, who has been known to be in favour of some severances over the years from time to time. But I think he understands that each part of the province is different, and the effect of a severance in one area is often different from a severance in another area.

I think what the regional municipality of Niagara has proposed will be death by a thousand cuts. They'll have all these severances out there, all the urban people moving out and then complaining about the farmers. The second thing you'll have is a demand for urban services.

They'll say: "Now that we're out here we have to have water services, sewer services. And let's get the bus out here. Let's have some street lights." So you see this urban sprawl taking place on some of the best farm land in Ontario.

I make no friends, from time to time, and my friend the member for Lincoln is here, and he would know this. For the life of me, Frank, when I see subdivisions in Vineland and Beamsville for people who live and work in Toronto and have nothing to do with Beamsville or Vineland, and then they will go to you and demand services—they'll demand school expansions, they'll demand recreational services—for the life of me, I don't understand why we'd be paving that kind of farm land over just to have some subdivisions to service people who work in Toronto, in other words, making a bedroom community out of our area.

I think there are some solutions. The member for Lincoln and I and the member for St Catharines-Brock have looked at some proposals, along with the federal members, that might assist farmers in being more successful financially. One is marketing. I think we've got good products down there, and I know the member for Lincoln would agree, some excellent products, and if we would market those in a very innovative way I think we'd find a lot more in the way of sales.

The member also pointed out at a meeting, and I don't think he'll mind me sharing this with you, that while we heard an awful lot about sour cherries and how bad they were this year, there were other products that were quite successful in terms of the dollars obtained for the sale of those products. So I don't think it's safe to just in a blanket way say, "Everything is terrible in terms of fruit farming in the Niagara region."

I want to see this kind of promotion of our product. I would hope that our grocery stores in this province would show some loyalty and put those products into the stores for us to see and clearly label them so we can purchase those.

I do not see as progress a Toronto from Toronto to Fort Erie, just a mass out there. One of the attractions of the Niagara Peninsula is a lot of the rural area that is there. That's what attracts many of the people, that it is kind of a nice, laid-back place. Somebody working for one of the companies in Welland was telling me that somebody comes up every year from Ohio and does winery tours and comes up sometimes when the blossoms are out and so on. Now, this looks like kind of a soft industry when you say it, but it's important to tourism, and it makes the Niagara Peninsula attractive.

I'm telling you I do not want to see all those little towns simply become bedroom communities for Toronto. Some of my colleagues who are closer to Toronto know what I'm talking about when I say that they have had to incur the costs of providing services for people who are really oriented very much to Toronto, and it's not their fault; they want to come out to try to get cheaper housing.

Interjection.

Mr Bradley: There's also quality.

University tuition: The NDP—and the former minister is here—raised tuition by some 42%, even though the NDP was in favour of abolishing tuition. Did they do it because they wanted to? No. Did they do it because they hate students? No. They were faced with difficult circumstances, and I thought they went too high with it, but nevertheless I know why they did it, even if I don't necessarily agree with it.

I hear now rumours, and they're only rumours, that the government is considering almost taking the lid off tuition and letting it go where it wants to. Well, that's fine again if you've got money. That's fine again if you're in a privileged position. I don't think a government can, nor should it, be in the position of determining outcomes. But I think government is in the position of trying to provide opportunity for people. If you're simply going to say that the wealthy are going to be those who are able to go to university or to community colleges, I think we all lose if that happens.

I hope the government isn't going to allow continued huge increases in tuition, because there's a second part of that. In the summer, a lot of students used to be able to get good jobs, and there are still some. I suspect that within the government today—some of the government members who are not in the cabinet may or may not realize this—your government is developing something that would remove all of the summer job opportunities. I'd be surprised if I saw the summer Experience program, which was good for kids out there, a good opportunity, survive the meat axe that the government is swinging. Places like General Motors that used to employ a lot of students in the summer—good money for them, good opportunity; they could earn some money to go to university—don't hire nearly so many students. I wonder about the Junior Ranger program, a really good program started by the Tories a number of years ago, and whether that will continue to exist.

If you see what I'm saying, on the one hand your government is thinking of allowing tuition to go up rather drastically, but there aren't going to be the job opportunities for students in the summer that there once were. That will mean that only those who have the financial ability to do so will be able to go to university or community college. We all lose by that, because there are a lot of talented people there who don't have high incomes, who come from more modest means. Don't lock them out. Give them the opportunity. Once they've got the education, you have no obligation to get them a job; you have no obligations then. We have only an obligation as legislators to provide opportunity for those people.

The LCBO privatization is another favourite issue that I want to deal with. Again, I'm looking at all these things the Tories have done years gone by that have been successful, and here I am in the House extolling the virtues of the former Conservative regime in this regard. You've got something successful: the LCBO. I know in years gone by that's where all the Tories worked in the summer and at Christmastime and so on. I think that's kind of changed because the union rules and so on

changed much of that, but you've got a very successful operation. It's good product. The stores are clean. It's not the old days where you had to go in and sign something and you handed the person the signed order just with a number on it. You couldn't even put what you were ordering; you had to use your number.

Mr Laughren: You're going back a long way.

Mr Bradley: A long way. Back when the member for Nickel Belt first came to the Legislature, this is what happened.

Mr Len Wood (Cochrane North): Now the dean.

Mr Bradley: Now the dean of the Legislature. You had to sign the paper and hand it in and the person went and got you the bottle. Now, I just heard that from others because I was never in there in those days. I would have been too young to be in there in those days, so I wouldn't have known anything about that. But that's what others told me you had to do. Now you have some very nice stores. They stock virtually everything, far more product than they do where it's privatized. You don't hear of many robberies, and the people working in the store are quite responsible in terms of not allowing young people to purchase the product.

1630

I think it's been quite successful. They've opened up more hours now, so if people have a different lifestyle they now open up different hours. They have stores that are called—what do you call those stores in the rural areas?—agency stores. They have agency stores that are useful.

You've got an excellent chairman of the board, Andy Brandt, former leader of the Conservative Party, a real booster, a person who's doing, in my view, an excellent job—I'm impartial—and for the life of me I don't know why you want to even consider privatizing it. It makes a lot of money for the government.

Go to New York state. Is that what you want? There's a robbery every night at those stores. They stock stuff that you don't know what it is when you get it. The LCBO has pretty good quality control in there. You don't know what you're getting in one of those private stores. I'm told in Alberta the amount they stock is very limited in each of the stores and the cost has gone up.

So you've got something successful. Keep it; take credit for it. You can say, "We Conservatives"—out there, you people—"brought in the Liquor Control Board of Ontario stores and they've been successful and we're proud of them." Some of us, most of us on this side, would be applauding that and saying, "Yes, you're right, and let's keep those."

Now I look at something that concerns all of us, and that's plant closures that are taking place. I look at my own community. On Friday we had Foster Wheeler, a major operator in terms of producing boilers, turbines over the years, a major employer, announce that it was moving its largest division to Dansville, New York, and 180 permanent jobs will be gone. One of the people I know has worked there 45 years. When we read about it it's numbers, but all of us are human beings. We live on

streets, we have relatives, friends, and you find out it affects real people.

I become very discouraged when I see Foster Wheeler moving its major operation to the US; Kelsey-Hayes in St Catharines in the process of closing down its operation; Court Industries moving its operation.

I was under the impression—I don't say this in a particularly negative way—that since Ontario was open for business and you were going to bend over backwards as a government to accommodate the expressed wishes of business, somehow we would see people staying here in the province.

Each of the circumstances is different; I understand that. The Premier the other day stood in the House and went through a performance, which he must, and I understand that, about how maybe they didn't know about all the good changes coming. I suspect all of these industries knew about the changes you're making, but they're still moving to the US or closing operations.

There are not that many job opportunities for the people who lose their jobs, particularly those who are older. There are some programs being cut back that assisted those people. The Ministry of Labour staff is being cut back in the areas that deal with employment standards and things of that nature.

The Premier was kind enough to say that he would make a personal call to the company to see if there was anything he personally could do, and I appreciate that gesture on his part. I hope the Minister of Economic Development, Trade and Tourism and the Minister of Labour will try to intervene. If it is not possible to retain the operation, or any of these operations, I hope that the adjustment for the workers can be made as humane as possible.

Something else we got into, and again people from smaller communities within regions may find this interesting: the regional chairs—I think they're all "chairmen" in this case. Are they all chairmen? Anyway, they're all men in this case, I think, but there are 11 of them. They were involved in a program—

Mr Rob Sampson (Mississauga West): That makes a difference?

Mr Bradley: Nowadays you don't know what you're supposed to say. I'm just trying to say they're chairs but in this case men, so they're chairmen, I guess. I'm being sidetracked.

They were cooking up something for several months which involved a new answer to all the problems of the province. They went behind the backs of the municipalities, used the resources of their staffs, and guess what answer they had to the problems?

Mr John Gerretsen (Kingston and The Islands): Their own municipalities didn't know.

Mr Bradley: Their own municipalities did not know. The solution is: "Leave everything to the region and get rid of those local municipalities. We will handle things best." Does that sound familiar? Does that sound like the old regional government argument, that the regional

government would know best and the people in the local community, on those municipal matters, wouldn't know best?

My own municipality of St Catharines was up in arms over this. There was a meeting of the regional council, there was some criticism offered, but nothing really happened from it. This doesn't mean that we shouldn't always look at structures of government to see if we can improve them. What concerns me is that here are 11 people who claim to speak for the regions, many of whom are not even elected at large in the regions, making some major representations very quietly to the government of Ontario. They were discovered, and now local mayors and reeves and other officials are quite concerned at what was happening with the regional chairmen.

I hope that the government would give at least equal, and probably more, weight to the arguments made by others, duly elected people, people who generally represent their areas, as opposed to simply the regional chairs.

Bill 7: You promised as a government over there that you would remove Bill 40, the NDP labour legislation. I won't go at length on this because I've already dealt with it in the motion of closure, or time allocation. One of the problems I see is that I know you think—

Mr Pouliot: You voted against Bill 40. You can't have it eight different ways.

Mr Bradley: Bill 40 had some problems as well. What we seek is some balance.

Mr Pouliot: A curse on both your houses.

Mr Bradley: The member for Lake Nipigon is intervening now. Somebody said the other day, watching, that he was somewhat flummoxed by the interventions of the member for Lake Nipigon, who, I assured him, was simply using good humour and really didn't mean sometimes what he said and other times he meant what he said.

Anyway, what you've done is you've made those changes. It's one thing to say, "We promised it, it's out there, so therefore we implement it exactly as we promised it." Not everything that you promise is absolutely perfect, and sometimes there's a need—I'm not saying with the principle—to tinker with the bill, to make changes in the bill to make it better. By not having the hearings across the province you gave, at the very least, the appearance of ramming it through the House.

1640

I know there was some disruption in the House. That always annoys the government. I've sat on the government side; I can remember how often those who'd never served in opposition would get annoyed by that. I wouldn't; I would explain to my colleagues in government that I had sat in opposition. I understand that the opposition's opportunity to influence the government is limited and sometimes they use tactics that people think are not as grown up as they should be. I understood that. But I think the mistake you made was ramming it through as you did—it was going to pass anyway; you've got 82 members—and not making changes to accommodate some legitimate concerns about the bill.

Now, if I may be parochial, I want to announce to everyone and welcome everyone to the 1999 world rowing championships, to be held in St Catharines. Mr Saunderson, the member for Eglinton, and the Minister of Economic Development, Trade and Tourism, has been deeply involved in rowing over the years and would know about this, but it's a major, prestigious event being held in St Catharines.

We have to, however, dredge the Royal Canadian Henley Regatta course to make it competitive for the world championships, and I think this is a good investment by the federal government, which has made an investment, the local government, the volunteer sector, the private sector, and I hope the provincial government with a share.

The returns for the province and for our community in terms of dollars coming into the country, into the province and the community are going to be very significant and the prestige of our nation and our province and our community enhanced considerably. So there's a payback to that, and I hope the government would look favourably upon providing assistance.

Another group has come up—and there may be some lawyers in the House who may be annoyed with me for dealing with this issue, but there's a group that has been formed in the Niagara Peninsula to deal with the cost of divorces and separations, and that's what the group is all about. They say, you know, they have two people who are in difficult marital circumstances, and what happens is there is a charging by the lawyers on each side of a certain tariff for services rendered, and I think what they're looking for is the Attorney General to solve this problem by perhaps making it easier to come to an agreement without so much expenditure on legal costs.

Now, if you're in the legal community, you may see this as necessary cost, but I hope the Attorney General has looked carefully and will assess the representations made by this group that believes that the costs incurred are not beneficial to either side in a divorce or separation and that there may be some way of lowering that cost at the very least.

It says here, "You can't squeeze legal aid money from a stone." So that's come from somebody else.

I know all of you—and I asked the Minister of Health when I had to respond to one of his statements the other day—would be aware of the need for an MRI in St Catharines. This is a magnetic resonance imager.

Mr Gerretsen: You still don't have one?

Mr Bradley: We still don't have one. We have three CAT scanners in the Niagara region now, all very good, but a magnetic resonance imager does a different job. The closest one is Hamilton, and there's a lineup there.

Interjection: They cost money.

Mr Bradley: Actually, they do cost money, but what happens is, the local community raises the entire capital cost of the magnetic resonance imager and the hospital gets only a very small amount of operating cost. So again it's a good investment. If you get at some of the problems and diagnose them earlier, often the cost to the

medical care system will be less. I think it's a good investment, and I know all members will be speaking to the Minister of Health to be assured that we have this in St Catharines.

Lastly, because I know there are other members who wish to speak, including the member for Nickel Belt, I would like to read from a letter, and I hope this gives some reason to think for the members on the government side. This letter is an open letter to the Premier, and I'm going to read the whole thing because I don't think it's fair just to read the excerpts that the opposition likes.

But this is a letter, not from the president of the labour council, not from Gord Wilson, the president of the Ontario Federation of Labour, not from activists' groups, which have demonstrated out front against this government, not from those who have been traditional enemies of the government, but from the Anglican Church, and specifically from the Bishop of Niagara, Walter Asbil. I think it's important, because churches are reluctant to get involved in political matters.

I suspect, if I were to look in the biographies of members of the governing side, there may be a significant number of Anglicans sitting on the government side, and—

Mr Richard Patten (Ottawa Centre): They're all rich.

Mr Bradley: Well, the members of the government are; not all Anglicans, though. But I would like to read this in the record just so you will take it into consideration, because you don't want to be labelled this way and there's some considerable evidence to the Bishop that you are deserving of what it says in here. It also says, "St Thomas Anglican Church in St Catharines along with the other 115 congregations in the diocese of Niagara fully support the bishop's letter." It's rather significant. It's to the Honourable Michael Harris. It's dated October 24, 1995:

"Dear Premier Harris:

"I write to you out of deep conviction and concern. During the past few months, this level of concern has increased to the point that silence is no longer possible.

"You and your government have received a strong mandate from the people of Ontario and that mandate is to govern. The responsibility that comes with this charge is awesome and I want to begin by assuring you that the members of our parishes in Niagara diocese pray for you and your government on a regular basis.

"The task of government, however, is to govern fairly, with a passion for justice towards all segments of society. In trying to face the problems before it, and we all realize that you face huge difficulties, the solutions chosen must not treat one group in society more harshly than another.

"In dealing with a problem as important and difficult as the provincial debt, every Ontario citizen should share in its solution, with those who have more resources being asked to take proportionate responsibility.

"What I perceive, however, in the first months of your mandate as our Premier, is that your government is

singling out the poorest segment in our society, the ones with no champion in your cabinet, and you are asking them to bear the brunt of your efforts to reduce the debt. At the same time, you're giving me and others like me in the so-called 'middle class' a healthy boost in my health coverage so that I can more easily head to Florida for as much of the winter as I wish. Further, you are promising me a substantial reduction in the taxes I pay (30% seems to be the target). I could easily go into many other details regarding your announced policies, but allow me for the sake of brevity to paint only this broad picture."

This is where I think it becomes rather condemning and this is what I think members of the government should take into account and think about. I don't expect you're going to respond in the House to it, but think about it. He makes the following observation:

"The face your government is presenting to Ontario increasingly is one that shows heartlessness, no compassion, callous disregard and an attitude towards the poor that is perceived as mean and patronizing. Your ministers stereotype groups of people with labels, forgetting they are citizens, voters, sisters and brothers and neighbours. Some in your cabinet, and I allow generously for inexperience, shock me with their remarks and attitudes, as if speaking about things and not about people, who ask only for the respect every human deserves.

"The patronizing attitude towards the disabled, the single parent, the poor, the abused, the homeless, all of them our sisters and brothers, is especially upsetting.

"My strong hope and prayer is that you and your government will turn another face towards the people you govern. Why cannot the government of the largest province in Canada become known as a compassionate government? This does not mean abandoning plans to face the very real problems you confront, but it does mean that such plans are shaped with a care for people, for all people. Why cannot the government of Ontario bring a balance into its program and stop singling out, victimizing, ridiculing those least able to speak out or stand up for themselves? Why do you promise the already rich even more riches and, at the same time, slam the poor?

1650

"As Bishop of the Anglican Diocese of Niagara, I have responsibility for 116 congregations in southern Ontario, for the membership of 50,000, including communities between Fort Erie and Shelburne, from Guelph to the Mississauga border. This diocese includes cities like Niagara Falls, St Catharines, Hamilton, Burlington, Oakville, Milton, Georgetown, Orangeville, Guelph and many of the surrounding towns and communities. Our clergy and lay leaders continue each day in trying to respond to the basic needs of people in their particular area. Many are on boards and committees in their region who support and help people in a wide variety of ways. How utterly discouraging it is to all of these leaders when the government of our province scolds us as we try our best and offer no sense of partnership, concern or continuing financial support.

"While I do not try to speak for every member in all our parishes, since most can speak for themselves, I do represent the clergy and people of the diocese of Niagara in asking you to have passion for fairness, for justice and for compassion.

"My basis for this concern grows out of personal faith, from the Scriptures that Christians hold as central, from the way and example of Jesus Christ. These central things of our faith encourage our parish members to join all others in society to work for the wellbeing of all, having a special regard for our sisters and brothers who are poorest among us.

"The prayers of the people of the diocese of Niagara are offered to God regularly for you and for the government you lead."

Signed by Walter Asbil, Bishop of Niagara.

Bishop Asbil has, far better than I could say and with more independence and without a political consideration that I would bring to a debate, as I do to any debate in this House in the afternoon, made an observation which at the very least should be one which members of the governing side should take into account.

As I mentioned at the beginning of the letter, were this from the Ontario Federation of Labour, were it from the president of the NDP or the president of the Liberal Party or from one of us in the House, one might say there is a partisan consideration to it, that there is an opposition that is historic and ongoing, but this is a bishop of the Anglican Church, a person who has made an observation about your government. I hope the government can change its persona, that it can change its policies so that the Bishop of Niagara can write a letter complimenting the government of which you are a part and the assembly of which we're all a part.

I leave that with you this afternoon, along with some of the observations that are made, and I want to assure you that unlike the United States, where the legislative branch will be preventing the executive branch from having the necessary funds to carry on its duties and responsibilities, those of us in this portion of the legislative branch will not be holding the government to ransom and will allow the government to have its supply in the appropriate period of time to be able to carry out its responsibilities.

The Acting Speaker (Ms Marilyn Churley): Questions or comments? Seeing none, further debate.

Mr Laughren: I did want to speak for a few moments. I don't think I'll match the prodigious output of my colleague and good friend the member for St Catharines—

Mrs Elinor Caplan (Oriole): And eloquence.

Mr Laughren: Eloquent as well, and from time to time quite fair in his comments.

Interjection: He's always fair.

Mr Laughren: That's right. But I did want to make some comments on the interim supply. When I see interim supply on the order paper, it brings back a flood of memories to me, one or two of them even good, but

not all of them, I can assure you, because there is a new mythology developing out there in Ontario, it seems to me, and I've noticed it in some books I've read on the New Democratic Party's five years in office. I just finished reading one by a self-professed Liberal, which is really good of him to do that, to profess—

Mr Bradley: Storming the Pink Palace?

Mr Laughren: Storming the Pink Palace. But I've read a couple of other books as well, and I enjoyed them, because when you're in that milieu and then read about it later, it is truly fascinating to see the perspective that other people have or the spin that they put on some of the events.

Mr Bradley: How about Giving Away a Miracle?

Mr Laughren: That I haven't read. So I do remember very clearly, when I hear some of the present government members talk about our spending and their cost-cutting, I sometimes feel they need to be reminded—and I appreciate very much what the member for St Catharines said about our attempt to rein in spending by government in Ontario. I recall that when we came to office—I'll give you a couple of examples—the Ontario drug benefit program was increasing each year over the previous year at 18% a year. I'm not pointing fingers; that's the way the Ontario drug benefit plan was developing, and it was just completely unsustainable. Health care costs—

Interjections.

Mr Laughren: If you'd just listen for a moment, the health care costs were going up at an annual rate of about 11% a year all during the 1980s—11% a year. That's unsustainable as well when you think of the base of \$17 billion you're working from. If you allow that to go up 11% each year over the previous year, you've got a serious problem. That was what we walked into. I'm not blaming or pointing fingers; that doesn't solve a thing.

But we did make serious attempts to rein in government spending, and by the end of our term—we didn't do it the first year; I'd be the first one to acknowledge that. For one thing, we were elected in September and the fiscal year was up at the end of March. But those of you who were around here will recall that in 1993 we brought in a budget that we talked about as being the three legs of the stool: We raised taxes—absolutely—to the tune of \$2 billion that year, we cut program expenditures by \$2 billion a year and we saved \$2 billion a year on the social contract.

Hon Charles Harnick (Attorney General, minister responsible for native affairs): “We are going to fight the deficit.” Remember those words?

Mr Laughren: Do you think that any of those were popular to do? Absolutely not.

Hon Mr Harnick: That's after what you spent—

The Acting Speaker: Come to order, member for Willowdale.

Mr Laughren: We're supposed to, in this chamber, deny any responsibility for anything we might have done that in retrospect we might not have done. I'm trying to say to members opposite: “Yes, that's true. Absolutely true.”

I don't have any doubt whatsoever that the present government has already made some decisions which they will live to regret. They will live to regret them. I can tell you what they are; I know you wouldn't want me to leave you hanging after making a statement like that. The government will regret its promise to cut income taxes by 30%. You will regret that because of the price that the communities all across this province will have to pay for you to deliver that promise. You will live to regret that promise.

Interjections.

Mr Laughren: Look, I'm just making a prediction; you don't have to take my word for it. I wouldn't suggest for a minute that you abandon your commitment to the Common Sense Revolution; you'd all look pretty silly if you did that now. But I'm just telling you the day will come when people in the province will say, “Why are we having to suffer all of these cuts at the local level—in education, in health care, in community services—so that well-heeled people in this province can get a 30% tax cut on their income taxes?” That's exactly what it's all about—exactly.

I am telling you, you are going to regret that decision. I don't think you'll change your mind on that, although I did notice the other day that the Minister of Finance was already hedging his bets a little bit. “The timing might be a little different, you know,” he said. We can see. We'll wait and see what will happen. I'm quite prepared to be told by members opposite in four years that I was wrong when I made this speech on November 20, 1995. I'm prepared to admit that. I've made lots of mistakes in this place, and if that's the case, fine. But I'm telling you, you will live to regret that promise. You will.

Hon Mr Harnick: You lived to regret that first budget, and we will do exactly the opposite of that first budget.

The Acting Speaker: Member for Willowdale.

Mr Laughren: What he's really admitting is that they are going to take those cuts in order to provide their friends with a tax cut at the income tax level. That's exactly what you're doing.

Interjections.

Mr Laughren: Don't give me any of that nonsense. We know exactly who benefits from the tax cut and it's your friends who earn over \$50,000, \$70,000, \$100,000, \$200,000 a year. That's who benefits from the tax cut. That's why you had to cut welfare rates, so you could deliver a tax cut to your well-heeled friends. Let's not pretend it's anything else. It's crystal clear, that's what it is; crystal clear.

1700

I'm trying to be as reasonable and as rational as possible, because when I was watching the election unfold, it was obvious we were not going to get re-elected in June 1995. You didn't have to be a wizard to see that that was about to happen. I watched the campaign unfold, and as everyone else who's a candidate, I go door to door in my election campaign, and it was very clear in my constituency, even though my constituents

have been loyal to me—that doesn't mean they always will be, but I can tell you that as soon as the Tory ads started on workfare and job quotas, I could feel the cold wind blowing through my constituency and, indeed, it blew through the rest of the province. So those were very politically successful ads, and they worked very, very well for the Tories.

I think those are the two main reasons that they won the election. I think the tax cut had something to do with it as well, although I think the main beneficiaries of the tax cut would vote for you anyway, so I'm not too sure why you needed to do that.

I watched with real fascination, because we've been through it as well, all three parties now. There's been a majority government for each political party in the last three provincial elections. So it was obvious that we're on to something here with changes. Whether or not it'll happen next time, I'm not suggesting that. But I can tell you I watched with some fascination as the cabinet was appointed.

There were some very, very predictable appointments. I think the Minister of Finance, that was a predictable appointment, and I quite frankly think a good one. I think the Attorney General—I don't want to embarrass him. I thought that was a good appointment as well. The member for Leeds-Grenville: I thought that was predictable, at least. There were some others that were disappointing, because there were some members of the caucus who were here before who quite frankly I thought would have made good cabinet ministers, regardless of political party.

But there have been some problems in the new Tory cabinet, some real problems. I can remember, when we were in office, the charge daily across the floor from the Tories was that we were completely incompetent. Well, I wish I could play that one back again, I'll tell you, when I see some of the performances over there in the last couple of months. You must confess that there have been some embarrassing moments in this chamber in the last couple of months. Well, you don't have to confess it, but I think you will.

Interjections.

The Acting Speaker: Order, please. The member for Nickel Belt, speak to the Chair.

Mr Laughren: All I'm telling you is that we had embarrassing moments too. You can't seem to grasp that. And you've had some embarrassing moments and you're going to have more, and some of them are right here in the chamber as I speak. And you're going to have more of them.

The other day I couldn't believe it when the Minister of Economic Development, Trade and Tourism stood in his place and tried to explain how the government had absolutely no role in furthering economic development by assisting the business community. Why he didn't then take the wonderful opportunity to say, "And for that reason, Mr Speaker, I'm resigning because my ministry is completely useless now, completely redundant"—

Mr Pouliot: He would have been a hero.

Mr Laughren: He would have been a hero. We would have all applauded him. And I don't think he's

enjoying his job anyway. He came highly touted, but he has not delivered very well.

There are times when you have to grasp that opportunity. I know that others of you—

Mr Pouliot: At least he's not here for the money.

Mr Laughren: Well, you don't know about that for sure.

The next moment that's going to be delicious in this chamber is on November 29, when the people of this province start, really start for the first time, when the Minister of Finance makes his announcement on transfers to partners out there all across the province—municipalities, universities, school boards, hospitals, social agencies—when he makes that statement, the people of the province are going to get their really first glimpse of how the tax cut's being paid for. That's what they're going to see. This is the first opportunity that they'll be able to see it in spades. But it's going to start to sink in that, holy smokes, why are we doing this just so that well-heeled people can have a tax break? We'll see. I can imagine some of the fuss in the educational community, at the municipal level, school boards.

But there's one area where people out there should relax and not worry about a thing, and that's anybody that's involved in the health care field. Relax; no cuts, absolutely no cuts in health care. None. So on November 29, everybody out there relax; no cuts in health care. We know that. The Tories know that because you promised it in your Common Sense Revolution. So everybody out there knows that while they may be in trouble in education—although nothing to affect the classroom—and other areas, municipalities and property taxpayers are going to see their taxes go up, that's for sure, but the one area where people should relax is if you work in a hospital, if you work at any aspect of health care; don't worry, there won't be a problem, because the Tories have promised not to cut health care at all, not at all.

I'll tell you why. In the Common Sense Revolution, it's very clear: "We will not cut health care spending. It's far too important.... Under this plan, health care spending will be guaranteed." A 20% cut in non-priority spending "without touching"—these are the words in the Revolution—the health care budget. Without touching it. Now, that's as firm a promise as you can make, and I tell you, if the Premier doesn't honour that, he's also on the record as saying he'll resign if he doesn't deliver on these promises. So we'll see.

Mr Len Wood: Oh, he's still saying that.

Mr Laughren: Well, I haven't heard him say anything differently. Then there was the Mike Harris Forum on Bringing Common Sense to Health Care. That was in December of 1994. This is what he said then. "While other non-priority areas of government will have their budgets reduced, budgets for health care, law enforcement and classroom education will remain at their current levels." At their current levels, and in health care that was \$17.4 billion a year. Now, that's as firm a promise as you can make. I don't think he was dissembling—look up that word if you don't know it—I don't think that he was making a false promise. I think he really meant that,

and I assume he means it today, that there will be no cuts in health care. That was in his Forum on Bringing Common Sense to Health Care.

Then in May of this year, as we headed for the election, Mr Harris issued a release that had five commitments to health care in which he said: "There will be no cuts to health care funding by a Mike Harris government. This is our first and most important commitment." There's another promise.

Then the Minister of Health, speaking before he was the minister, admittedly, but on May 31, not long before he was the minister, said at a conference: "We are committed to preserving health care funding in Ontario. Every dollar we save through managing the system better will be plowed right back into front-line patient-care services." That's the Minister of Health speaking.

Of course, something went off the rails, because on October 6 the Finance minister announced a \$107-million cut for this year and \$50 million next year. Wait a minute. Wasn't there a firm promise in the Common Sense Revolution that there would be no cuts to health care? What is wrong here? Something's gone wrong.

Secondly, the minister and the Premier have talked about reinvesting health care savings generated at the local level back into the community. This is what he said in Bringing Common Sense to Health Care, this is Mike Harris speaking back in December, almost a year ago:

"Building the right incentive into our health care system will be essential. Health care professionals will have a Mike Harris guarantee that savings they generate through their own initiative will not be siphoned off into other non-health-care-related programs. Local health care communities will share in any savings identified locally for reinvestment in community priorities."

1710

I want to tell you, I'm not allowed to use certain words in this chamber. I'm not allowed, so I won't use those bad words because the Speaker would descend upon me with both spiked heels if I used them, but in Windsor that promise has already been broken, in Sudbury that promise—don't shake your head. How do you know? Why are you shaking your head? You know that?

Hon Marilyn Mushinski (Minister of Citizenship, Culture and Recreation): I didn't shake my head. We didn't break our promises.

The Acting Speaker: The member for Nickel Belt, please address the Chair.

Mr Laughren: How ridiculous can you be, to say that they haven't broken the promise to reinvest savings. You're calling the Minister of Health a liar if you say that. That's what you're calling him, because he stood in his place in this chamber and said, "We are not going to reinvest the savings in Windsor and we're not going to reinvest the savings in Sudbury." So if you don't believe the Minister of Health, your battle's with him, not with me.

Hon Mr Harnick: Wrong. There will be \$17.4 billion in the envelope.

Mr Laughren: We're not talking about \$17.4 billion, we're talking about the savings that are generated at the

local level being reinvested in the community for community services. That promise has already been broken, completely broken. If the Tory members are embarrassed by that, they should take it up with the Minister of Health, not with me. I'm quoting him. That's what he said.

Hon Ms Mushinski: No way. Wrong.

Hon Mr Harnick: Your mathematics is nothing that we would ever rely on. "Spot on" are the words I recall.

Mr Laughren: All right, then let me quote the Minister of Health. Perhaps this will get through to the Tories. I don't expect you to take my word for anything. This is what Jim Wilson said on Thursday, October 26 this year, less than a month ago. This is what Jim Wilson said:

"There is no sense paring down the institutional side in a local community without beefing up community-based services. Will that be a dollar-for-dollar exchange? The answer is simply no."

So blow that out your ear. If you don't believe me, take it up with the Minister of Health. He's already on the record as having said that. So there's another promise broken already.

The other thing that was promised by Mike Harris in the Common Sense Revolution had to do with an increase in community-based care. This is what he says in his Bringing Common Sense to Health Care, December 2, 1994: "Our goal: funding an increased number of community-based health care services to meet the priority needs of consumers."

What have we seen since then, despite that promise? The closing of birthing centres, no action whatsoever on long-term care, nothing. I'm not saying you have to buy our model. Fine, introduce your own. Cancel ours, introduce your own. That's fine. But do something. Get off your duff. You're supposed to be doing something on long-term care. You have done nothing, nothing at all.

Here you are, you're expecting communities to go through the hospital restructuring exercise, expecting them to do that at the local level, and they've worked extremely hard at that. My own community worked for a couple of years on hospital restructuring with the assurance that before one hospital was closed and restructuring went on, there would be an increase in the level of community-based, home-based services in the community. Guess what? Nothing. Big fat zero by the Tory government. Absolutely nothing.

Another commitment that the Tories made had to do with user fees. Oh, user fees, here's where they're getting cute and using weasel words and sucker clauses. You're raising that skill to an art form. This is what it says in the Common Sense Revolution: "Under this plan there will be no new user fees." Mike Harris, Five Commitments to Health Care, said, "Mike Harris and his caucus publicly rejected new user fees as an effective way to ensure adequate funding for our health care system." What a lot of nonsense.

You're already floating the ideas out there on the drug benefit plan, and you can pretend that a copayment is not a user fee all you like, nobody's going to buy that line. Nobody will buy that line. One day you don't pay for the

drug and the next day you do. One day there's no user fee for the prescription, the next day there is. And you're trying to tell people that's not a user fee? How stupid do you think people are? They see through that very, very clearly.

I use the term "weasel words and sucker clauses" because there was never any mention in the Common Sense Revolution of anything else about the Canada Health Act. Now the Minister of Health and the Premier are talking about, "Well, there'll be no user fees in anything that comes under the Canada Health Act." You talk about weasel words—that's them. Because that's what you're going to do.

Another commitment that you made was to restore 24-hour emergency service for rural and northern hospitals. My goodness. This is what Jim Wilson said, "A Mike Harris government will sit down with the Ontario Medical Association and immediately adopt the key recommendations contained in the Scott report"—which dealt with that very problem—"which help to resolve the small emergency room coverage crisis."

This is Jim Wilson speaking. "By ending this crisis we will demonstrate our commitment to dealing in an honest and straightforward way with professionals." When, Mr Wilson, are you going to do this? The report's been sitting on your desk. Why don't you do something with it? Big promises. Big promises. No delivery. No delivery.

Another issue, which really did cause me to raise my eyebrows, was the implementation of smart card technologies. Remember, the Liberals introduced a health care card that was fraught with problems. We tried to deal with it. We introduced a new card that had a photo identity with it and had a certain amount of information on it. It was a magnetic stripe, as I recall it, and some information was available on that card.

The cost of that card, as I recall, was about—we were going to do it over five years—\$30 million a year for five years. So it's very expensive to do the cards, these health cards, and you have to worry as well about privacy, who has access to them, because it's done through the driver's licence, at least the present plan was.

I remember Jim Wilson doing this himself. Actually, this came from the Mike Harris forum on health care: "We will replace Ontario's outdated health information system with a modern smart system. The government's own studies estimate the cost of health card fraud at \$700 million a year." I don't ever recall seeing a government study of that, but that's being quoted by the Tories.

Mr Tony Clement (Brampton South): Peat Marwick.

Mr Laughren: Peat Marwick? I think you're right.

What Jim Wilson then said was—and this is a good quote, I think: "A Mike Harris government will scrap the NDP's new, dumb photo health card and replace it with a smart information system." So here we have the Minister of Health—fine, he doesn't have to like our card system; I'm not saying that he has to. But he's saying it's costing—and he used this in the Legislature day after day—\$700 million a year to the taxpayers for the fraud on these cards. So we introduced a new card, and when

he becomes the Minister of Health what does he do? He cancels that card, which at least was going some way—I don't know if it's the ultimate card or not. I know that at \$30 million a year you hope you're getting something for your money. He says, "No, no, we're going to bring in a smarter card because your card's a dumb card."

I have to tell you, at \$700 million a year, by his estimates, it's costing the Ontario taxpayers \$58 million a month on fraud while he dawdles about what kind of card system to bring in—\$58 million a month. I thought you people were concerned about waste in government. Here you are saying: "It's \$700 million. But that's okay. We're not ready to introduce our card yet. All in the fullness of time."

You can't have it both ways, folks. Either it's costing the taxpayers of this province \$700 million or it's not. If it's not, then the Minister of Health was blowing smoke out both his ears when he was using that number. If it is costing \$700 million a year, why is he just sitting there spinning his wheels and allowing that waste to continue? There have to be some answers on the health card. I can tell you, it makes no sense to leave it the way it is.

Another commitment was on mental health reform. This is what Mr Harris said:

"Through public consultation, the Harris government will identify a priority list of services for reinvestment of the provincial share of the savings which can clearly be generated. These priorities would include mental health." Oh, really? No kidding. Mental health? Where are the initiatives? Where are the priorities? Nothing. Absolutely nothing.

1720

Mr Rosario Marchese (Fort York): They're coming.

Mr Laughren: Well, if they're coming, they're coming pretty slowly.

Another commitment had to do with a health care bill of rights, and this what they said about that, this is what they're going to provide: a bill of rights that would include the right to proper access to insured services, the right to high-quality, timely care, the right to appropriate care in one's own community, the right to health coverage at Ontario rates while travelling outside the province—that you've delivered on for the people who can afford to go to Florida for the winter. Cut everybody else, but make sure that your dear friends who can go to Florida every winter, make sure that that's reinstated for those darlings. That's exactly what you've done. If you're not embarrassed, you should be.

Another thing that was promised—

Interjection.

Mr Laughren: You'll pay for that by charging a user fee for drugs. That's how you're going to pay for it.

This is part of the bill of rights: the right to be informed about treatment options, the right to participate in decision-making regarding one's own health, the right to treatment free of discrimination—can you imagine this government talking about freedom from discrimination?—and which recognizes one's privacy, dignity and individuality.

Well, we haven't seen the health care bill of rights yet. Anything we've seen on some of those items, though, causes a great deal of alarm.

The other issue that bothers me—and I hope you'll allow me, as you allowed my colleague from St Catharines, to be a little bit parochial here—had to do with denominational hospitals. Jim Wilson said to the Catholic Health Association of Ontario on Friday, September 29, of this year:

"What I will tell you is that the commitment I made to you in 1994, which was reiterated by the Premier last April, stands firm. We will respect and continue to support Catholic and denominational-governed structures and their missions in Ontario." Fine. He made that statement.

Let me tell you what's happened in my community, where hospital restructuring is going on and the district health council, through its committee, the—

Ms Shelley Martel (Sudbury East): Hospital review.

Mr Laughren: The restructuring committee, anyway, made a presentation to the district health council, who then endorsed it and forwarded it to the Minister of Health some time ago now. In their recommendation was that there be a sole governance in Sudbury. I support that 100%. There would be two hospitals, one of which is a Catholic hospital operated by the Sisters of St Joseph. The other is a non-denominational hospital. Both good hospitals, and a third hospital was to be closed.

The hospital that was to be closed and the supporters for that hospital were obviously very concerned and unhappy, but in the interests of a better health care system for the community they went along with that, somewhat reluctantly, but they agreed to it. Guess what happened next. The Sisters of St Joseph, who run the Catholic hospital, won't be part of a sole governance model, and they're now quoting the Minister of Health for things that he said to them in writing as to why they don't have to comply with a sole governance model any more.

I want to tell you, I don't believe we have the luxury any more in this province for hospitals to be run that way. There was a time, of course, when the Catholic system did a lot of good things in the hospital system because governments weren't doing it. I acknowledge that. I'm not mad at the Catholic system.

But I want to tell you that I think the day has gone when we have the luxury of allowing that to dictate the kind of hospital restructuring that goes on, because if we don't have sole governance to end the turf wars that have gone on in hospitals in various communities across this province, we're not going to achieve the savings.

We're going to have some savings, of course, but the hospitals will be starved by lack of funding, and since there's going to be less funding, I believe—maybe I'm wrong, because Mike Harris says: "No, no. No cuts to hospitals." Anyway, I don't believe him, and if that's the case, they'd better get all the local savings they can through restructuring.

I think that is completely logical. I don't think there's anything irrational about that. The community supports sole governance, 75% support.

I can tell you that unless the minister moves in right smart and accepts that recommendation from the district health council, in my view it's just going to get messier and messier and messier. I think it can be avoided, but it's going to need some action on the part of the minister, because if we let it go, it's just going to get very, very cluttered up there.

I must say that it's fascinating to be a critic for health care at this time and it must be really a pleasure to be the Minister of Health knowing there's not going to be any cuts in your ministry. Everybody else is going to be out there flailing away trying to survive, trying to justify to their stakeholders and constituents that what is being done is necessary, but the Minister of Health doesn't have a worry in the world: No cuts to health care. Again and again and again and again: No cuts to health care.

Other people are very nervous about the announcement by the Minister of Finance on November 29. Not me. I'm not worried, and nobody out there in the health care field should be worried, because that is as firm a promise as it's possible to make. I've quoted you, chapter and verse, how Mike Harris and Jim Wilson will not allow any cuts to the health care system.

Don't give me this nonsense, the dishonest argument that by 1999, when your first term is up, it will be \$17.4 billion again. How stupid do you think people are? That's a dishonest argument. Let me give an example. What would stop you from cutting the health care budget to—let me pick a number out of the air—\$15 billion from \$17.4 billion for the next three years, and then in the final year, as you go to the polls, saying, "This year we're going to spend \$17.4 and we've got the budget number up to where it was when we formed the government, at \$17.4 billion"?

Nobody is going to believe that hogwash. When you start making cuts to health care, it will be a signal to the people out there that all those promises are for naught, and you will not be trusted on anything else.

That's why I say to people in the health care field: "Relax. Don't worry. You can't have that many promises and break them all and still have the person who made them stay in office. It's not possible." I think it would bring shame upon this whole assembly if that were to happen.

I want the Tory backbenchers to relax. You may not have seen the announcement that's coming on the 29th. If I were the minister, I wouldn't show you yet. Cuts are coming, but I don't think you should worry about the health care part. Worry about the municipal transfers—they'll get cut—and worry about the universities and the school boards, but don't worry about the hospitals. Don't worry, they cannot be cut. They're inviolate. They can't be cut.

I think you should all relax about that and go home and tell your constituents in a newsletter, go on a local talk show or radio or TV interview and say: "I am telling you there will be no cuts, because here it is in the Common Sense Revolution, 'There will be no cuts to health care.' You can worry about other things, but don't worry about health care. There will be no cuts."

I think you should tell them that. Don't be shy. Don't wait till you see it; that's not necessary. You don't need to see it. The Premier is as good as his word. Don't wait to see the announcement. Forget it. You don't need that assurance. You've already had that assurance. He wouldn't lie to his own caucus. So don't worry about it.

There's a lot of nervous people out there, so if I were you I'd be getting my message out ahead of time, and then you can say: "See, I told you so. I told you there'd be no cuts to health care or transfers to hospitals." You can say that, you can say: "See, I'm a government backbencher. I'm on the inside. I knew there'd be no cuts to hospital transfers."

I don't think you've got a problem in the world. I think you should be talking to your municipalities about what to expect, and I think you should be talking to your local school boards. That's where property taxes come into the equation, of course, because property taxes are going to go up, and if you think that they're not going to blame you, you've got another story to tell.

1730

Mr Douglas B. Ford (Etobicoke-Humber): There's only one taxpayer.

Mr Laughren: Yes, there's only one taxpayer, that's absolutely right, and you're giving a great big break to the well-heeled taxpayers in this province. That's what you're doing. That's what it's all about. You're right, there's only one taxpayer, but there's sure a hell of a difference in the amount of money they earn and the taxes they pay. You know that, my friend. I think that's right.

And I'm glad you said that, because you know what else I think the Tory backbenchers should do? I'd think you would appreciate advice coming from this side. You don't want to hear advice only from your own side all the time. I mean, I get advice from you and I listen to it very carefully.

I think the other thing you should do is your constituents that this tax cut is for their own good. You tell them, "This tax cut is for your own good, and if people with a lot of money get a bigger tax cut than you do, don't worry about it, because there is the trickle-down theory and until you've been trickled on, you don't really know how good it feels."

I think you have to tell your constituents not to worry that the people earning \$70,000, \$100,000, \$200,000 a year are going to get a much bigger tax cut than they are. Tell them to relax, that it's for their own good that they now have user fees in the health care system. You've got to convince them of that.

Interjections.

Mr Laughren: All I'm suggesting is that you get out there early. Don't leave it too long. Get out there ahead of the pack and start telling your constituents, because your constituents are worried too.

Interjections.

Mr Laughren: I need your help, Mr Speaker. I'm trying to be as non-provocative as possible.

The Deputy Speaker: Order.

Mr Laughren: Last week there was a poll done in the province that showed the Tories at a very high level of support in the province, 58%, I believe. Just to put a sobering thought on it—

Mr Shea: How was yours, Floyd?

Mr Laughren: Very low. Let me finish now.

Mr Shea: And why was that?

Mr Laughren: Would you let me finish my sentence here? At the same point in our government, five years ago—and I don't say this for one-upmanship—we were over 60% in the polls. So I just put that in perspective. That's why I think you should be taking advantage of this high level of support you've got now. Get out there fast and reinforce your commitment to no cuts in health care. Get out there fast and keep that level of support up there, because it will start to slip away on you.

Secondly, reinforce the tax cut. Get out there and tell people not to be selfish. Tell people earning \$40,000 a year that they shouldn't be jealous of somebody earning \$200,000 a year who gets many times the tax break they do. Tell them not to be so selfish. Tell them to get the big picture. They've got to see the big picture. I think there's lots that you should be proud of over there. You should be out there talking about it, though.

I'll conclude my remarks—

Mr Ford: Bring everybody down in the province.

Interjections.

Mr Laughren: This gentleman is a wonderful interjector over here. What riding? Who sits behind you there, Charles? I've got to zero in on this person. The member for Durham Centre is making some wonderful interjections. I had every intention of sitting down until those interjections started. The member for Durham Centre says that the NDP would make everybody poor and that the Tories wouldn't do that. I agree with him that the Tories don't do that. The Tories make the poor poorer and they make the rich richer.

It brings to mind an expression that was used in the United States which I think is most apropos.

Interjections.

Mr Laughren: I've got a quote for you here. Now don't get wrangy.

A Democrat in the States a number of years ago decided he was going to "declare war on poverty." It didn't solve much. I've often thought of that and I've often thought, what would happen if the Tory Party in Ontario declared war on poverty? Do you know what they'd do? They'd throw stones at beggars. That's how they'd declare war on poverty. I am telling you, it's not just that you're cutting benefits for the lowest-income people in the province; it's what you're doing with that money.

If you people didn't have your commitment on the tax cut, you could make a lot of valid arguments for cutting spending by government. I endorse that. I'm telling you I agree with that. Where you lose it all is that you're doing the cuts in order to provide tax cuts to your well-heeled friends. That's where you lose any legitimacy, my friends. That's where you lose it.

If you weren't doing the tax cut, you would be a lot more legitimate in the eyes of a lot of people, but because of the tax cut, people will start to realize that all of this agony that's going to occur out there is simply to provide tax cuts to well-heeled people in the province.

Interjection: The middle class is not wealthy.

Mr Laughren: No, the middle class is not wealthy, and if I can find the page in here where you've got—well, by golly, it just opened up at the page. This is the tax saving, so you tell me: The taxpayer income of \$25,000 a year would have a total saving over the three years—because this is a three-year phase-in of the tax cut, right?—15%, 7.5% and 7.5%, for a 30% total tax cut. So at the end of three years, if you earn \$25,000 a year your total tax saving is \$1,900, rounding off. If you're earning \$50,000 your tax cut is \$4,000 over the three years. If you earn \$75,000 your tax cut is almost \$7,000.

Let me ask you this question—

Interjections.

Mr Laughren: No, no, don't heckle, don't heckle. Let me ask you this very serious question: Who do you think needs a tax cut of \$7,000 more, somebody who earns \$70,000 a year or someone who earns \$25,000 a year? This chart doesn't even include \$100,000, \$200,000, \$300,000. It doesn't even include those numbers.

If this is your idea of fairness in the tax system, lots of luck trying to sell that. When people realize what they have to give up to get that tax cut, I want to tell you they're not going to be as happy as they are today.

Mr Ford: Did you make everybody happy, Floyd?

Mr Laughren: I just finished congratulating you for being at 58% in the polls, so don't get ugly with me. I'm trying to be nice to you and congratulate you on being so high in the polls.

I should wrap up my remarks. I just wanted to offer some gratuitous advice, if you will, to the Tories not to be bashful about continuing to sell the Common Sense Revolution. It's worked for you very well. You won the election big-time and you're at 58% in the polls still. I've been in politics a long time and I know how fleeting polls are too.

All I can say is that I think you have got to hang tough on those promises about health care. Hang tough on that. Just don't let them waver; don't let them introduce user fees; don't let them cut budgets to hospitals, because at that point it all starts to slip away on you, and that would be too bad, especially for the new members. Especially the new members, who are going to have to look after their own pension needs.

Interjections.

Mr Laughren: All right, all right. I'd better leave that one alone. I'll leave that one alone.

In conclusion, I've enjoyed taking part in this debate this afternoon. I must say, and I mean this, that I enjoyed the lively participation by the government members as well. That's a healthy process around here. I can assure you that we are as anxious as you are to make sure that

the government has the dollars to spend on the necessary services that are offered in the province.

1740

The Deputy Speaker: Questions or comments?

Hon Mr Harnick: When I hear the former Treasurer making predictions about what's going to happen and what's going to work, I really feel good, because what he says is not going to work I know is going to work, because everything he used to say was "spot on" was always wrong. Every prediction the former Treasurer made was wrong, so when he says a tax cut isn't going to stimulate the economy and create real jobs in this province, I know he's wrong.

It was very interesting. As I listened to the member talking about the historic aspects of his role in government, I notice that he started in 1993 and started to talk about Ontario drug benefit plan cuts and cuts to health care. He was very proud of the fact that he was reining in government in 1993. What he doesn't tell us is how we got into the position we're in now with a \$100-billion debt and deficits that have been \$10 billion.

That's because he doesn't start at 1991 when he made the decision to spend his way out of a recession. That's why this province is where it is today. He decided he was going to spend money he didn't have, and now we, the taxpayers of the province, are saddled with the debt he created. It's very interesting that he doesn't start to talk about his role in government until 1993. He has a bit of a memory lapse.

We watched his government tax and spend and tax and spend, and the debts got bigger and the jobs got fewer. Now we're taking a different approach. We're going to cut spending and we're going to put more money in people's pockets by taxing so that we can be competitive and so we can create jobs. The best way to create tax revenue is to have more taxpayers, and that's what this government is doing.

Mr Gerry Phillips (Scarborough-Agincourt): I wanted to comment on the member for Nickel Belt's remarks about health care, because I think they are timely. I've been interested, in the Legislature, that the health care promises seem to have been made a year before the election, and now the government is trying to say, "Take our year-before promises into account, not the one we made during the election." But I think the people of Ontario will hold them accountable for one they made during the election, the Common Sense Revolution, published during the election.

I can remember press conferences held during the election. It was called the post-Martin budget Common Sense Revolution. It was very clear in the Common Sense Revolution that everything had been taken into account. Here's what the government says: "Total non-priority spending will be reduced by 20% in three years, without touching a penny of health care" spending. It is clear that you have made and have to honour that commitment, not for something a year before with this famous envelope you're going to seal at \$17.4 billion. You, during the campaign, said you would not touch a penny of health care, and you're going to be held accountable for that.

We lost the election, the NDP lost the election, and you won it on that solemn promise.

There's another one the member for Nickel Belt points out, and I think it's very important: "Under this plan, there will be no new user fees," including copayments. You specifically excluded copayments in your Common Sense Revolution. That's how you got elected; it's right there. You specifically excluded copayments, and you can't weasel around now and saying, "Oh, we didn't mean copayments." You did mean copayments and you're going to be held accountable.

Mr Bud Wildman (Algoma): I just wanted to rise to congratulate my friend the member for Nickel Belt on his presentation, in particular his advice to the backbenchers who support the government benches on the other side and the rump over here.

I really do think it's important that the backbenchers listen to the comments of my friend, because I think he was advising them to talk to their constituents and tell them that they don't have to fear health care cuts, to really emphasize that. As he pointed out very clearly, on page 7 of the No Sense Retribution document it says, "We will not cut health care spending," in bold print, and then in italics, "It is far too important." On the previous page, it says, "Under this plan, there will be no new user fees," and "no" is in capital letters.

That should really allay all the fears of people who have been perhaps listening to the media, reading the newspapers and who have heard or read apocryphal reports that this government might in fact be bringing in user fees for the drug benefit plan for the elderly.

I'm sure this will help to assure people and continue to ensure that the government has long-term support, and that people have nothing to fear from the statement that is going to be made very soon by the Minister of Finance in this House.

I hope the backbenchers will take very seriously the advice of the long-standing member for Nickel Belt and that there will be no cuts in health.

Mr Gary Carr (Oakville South): I wasn't going to speak because the member from Scarborough's mom and dad are here, the former member of Parliament, and I didn't want to take too much time; they're expecting their son to speak. But I did want to comment on just one quick thing.

I don't mean to be unkind to the former Minister of Finance, although in the past I guess there were occasions to do that. This is the same person who, when he was on that side of the House, stood up and said, "We had a decision to make, and we decided to fight the recession, not the deficit," and all the backbenchers you talk about rose up in a standing ovation.

You took us from \$45 billion to \$100 billion in debt. Some \$1 million an hour, I say to the member, is what we spend, not for the good roads, not for the health care system, not for the education system, but \$1 million an hour just to pay the interest on the provincial debt. When that government took office, 9% of our revenue went to pay the interest on the debt and now it's up to 18%. It doubled in five years.

This member talks about the taxes. This is the same member who introduced a surtax on people making \$50,000. They were the people who thought they were average. Not only do they have the highest tax, but they were the rich and famous in the province of Ontario. Who were they? The average worker in my riding who works at the Ford Motor Co and who used to support the NDP. You put a massive surtax on them. We're the highest-taxed province in Canada, the highest-taxed jurisdiction in all of North America, and you stand here and talk about the tax rates.

We are taking the tough choices that weren't made. When I see what was done to this province over the last few years, I say it's a good job we got a change of government. We're going to restore hope, opportunity and prosperity because you didn't have the political courage to do it.

The Speaker: The member for Nickel Belt has two minutes.

1750

Mr Laughren: I appreciate most of the comments that were made. I must respond, first of all, to my friend from Oakville, who forgot to mention that his government is going to give a \$4-billion or \$5-billion or \$6-billion tax cut with borrowed money. Here you are borrowing money to give a tax cut to well-off people. So don't give me a lecture on what borrowed money's for. That's exactly what you're doing.

I used to keep a list when I was sitting over there of all the Tories who demanded more government spending in their ridings, and it was a very substantial list. Day after day they'd be demanding this, they'd be demanding that. At the same time, of course, they were saying the government should spend a lot less money.

I wanted to respond to my friend the Attorney General, who didn't reply in kind to my kind remarks about him. But that's okay, that's the nature of the beast here. I did want to say to him, and perhaps he wasn't listening—I didn't expect him to hang on every word, but I did mention our very high spending in the first budget and even the second one, because in the first one there was virtually no time to get it reined in—at least that's my position—and then after that we did.

When we said we were going to fight the recession, that was a \$700-million package. You can argue that we shouldn't have spent that \$700 million, but I don't think it should be blown out of proportion that our determination to fight the recession was what caused the high deficits. We had the worse recession in this province since the 1930s, and that surely had something to do with it.

The Speaker: Is there any further debate?

Mr Steve Gilchrist (Scarborough East): In the limited time available to me today, it gives me great pleasure to rise in this House to make a few comments about the interim supply motion and also to speak to the perspective which the voters of Scarborough East have given me as I embark on a new career very different from the one I've enjoyed in the last 25 years.

Though I've had the opportunity to make a few comments in this chamber throughout the session, this is

my first formal opportunity to speak, and I'd be remiss in not congratulating all my colleagues and all of my colleagues opposite, as well as the new Speaker, for their respective elections.

The stewardship of the affairs of this great province is an awesome responsibility and I'm certain that all members of this House share my commitment to being an open and accessible representative for the residents of my riding and a champion for their views and aspirations. At the same time, I understand that the affairs in this House are very much a team effort, and in the Legislature and in committee I pledge to work in a responsible and cooperative manner with all members to ensure that we deliver the necessary legislative decisions in a timely and professional manner.

The riding of Scarborough East is, for a variety of reasons, a fascinating part of this province to represent. It's blessed with a wide variety of housing styles, a diverse assortment of commercial and retail businesses, and perhaps most importantly, it is beset with a wide variety of social issues which have, some would say significantly, impacted and continue to affect all residents of the riding.

Though Toronto-born, I was a newcomer to Scarborough East when I moved there 20 years ago to take on the managership of the local Canadian Tire store. What attracted me to the riding was that in a very real sense the eastern end of the riding was almost rural in its perspective: the low housing density, the vast amounts of parkland and the strong sense of community with which it's blessed. In the western end of the riding, on the other hand, the government of the day had erected the largest density of subsidized housing in the province, a fact which persists today and which has been the root cause of many of the servicing challenges which have faced both the provincial and municipal representatives for this area.

Scarborough East has managed to retain much of its unique character over those 20 years, largely as a result of the extraordinary efforts of committed volunteers in the local community associations: the Guildwood, the Rouge, the Centennial, the Old Lansing and the Highland Creek, to name a few. They've demonstrated exactly the kind of volunteer spirit that our government alluded to in the throne speech. They've worked without government funding to foster the sense of neighbourliness for which the riding is famous. They've also served as the conscience of the elected representatives.

On many issues affecting the riding, it is they who have organized the town hall meeting, who have done the fund-raising to afford the consultants, attended the OMB hearings, and generally let it be known that the residents of Scarborough East didn't believe that involvement in their community and involvement in their government was just a 10-minute task at election time, but a full-time commitment that all residents should share.

I think of individuals such as William Dempsey, the honorary president of the Centennial Community and Recreation Association, who has been, for the 49 years he's been a resident of the area, a tireless champion for environmental, cultural, historical and planning causes,

and who earlier this month was the worthy recipient of this year's Scarborough Civic Award of Merit. It is people like Bill Dempsey who have set an example of public service that all elected officials would be wise to follow.

The riding has been ably represented by members of all three parties, but of particular note is the Honourable Margaret Birch, a distinguished lady who was a superb champion of a variety of local issues, most notably seniors' services and health care. It is a fitting tribute to this exemplary member that the last expansion of our local hospital, Centenary Health Centre, was named the Margaret Birch Wing.

I must also include my father, Gord Gilchrist, a former federal MP—and who is in attendance in the gallery here today along with my mother, Pat—high on the list of accomplished elected officials from whom I have drawn—

Interjection: He's better looking.

Mr Gilchrist: He's better looking; you're right.

—the lessons of service, integrity and the need to lead by example. He treated the job of MP as a seven-day-a-week, 52-week-a-year job, and yet found time to continue to serve the community in a variety of other ways, particularly as a Rotarian and a benefactor to a number of worthy causes, including science scholarships at all of the local high schools and at the Scarborough campus of the U of T.

He was also the most outspoken champion of science and technology issues during his term of office, and his campaign to have Canada at the forefront of industrial innovation not only raised the profile of high tech on the agendas of the various ministers of the crown but led to tangible results, including the seminal report on the future of hydrogen technology in Canada.

I can only hope that in the eyes of the people who have placed their trust in me, I am seen to provide the same sense of dedication and commitment as my father and Margaret Birch and that I can repay the trust of the voters with honesty, enthusiasm and a genuine desire to make this province once again the most envied jurisdiction in the world.

In preparing for this address, I thought it most appropriate that I would be speaking to a bill dealing with the funding of government operations, for in one way or another the creation and the maintenance of government programs and the search for the proper method to fund them is at the heart of the decision every member in this Legislature made to run for this office.

If anything drove me to give up a successful career in the private sector, it was the profligacy, the wastefulness, the complete lack of fiscal responsibility that had been the hallmark of this province for the last 10 years.

That last decade saw government spending double, the size of the bureaucracy balloon out of all proportions, taxpayers hit with 65 tax increases, including four to income tax.

But did all this largess result in a better Ontario, a safer, more prosperous province? Just the opposite. We saw the percentage of Ontarians on welfare almost triple,

from 4.3% to 12.1% of the population. We've seen the number of children on welfare increase to the point we now have more children than we had total welfare recipients just five years ago. Is that the legacy of a caring government?

We saw corporate and personal bankruptcies skyrocket, largely as a result of the increased tax load, but also as a result of the crushing new regulatory changes that in the case of some industries, such as private day care, the social engineering of the previous government literally drove entrepreneurs right out of the business.

And of course we saw deficits, every year for five years, that exceeded \$10 billion and which reduced—no, which eliminated—the capacity of this province to deal with the financial requirements of an increasingly technological world and an aging population.

Those annual deficits, which every single year added a debt load equal to one third of the total debt that this province had accumulated in the first 118 years of its history, every one of those debts destroyed our ability to

deal with infrastructure development or expanded access to health care or innovative apprenticeship programs and other educational improvements. The dollars were wasted on social engineering experiments, on expanding the bureaucracy and on a myriad of other projects that far too often appeared to be motivated by a belief in empire-building rather than in productivity and common sense.

Members opposite and many people outside of this chamber have accused this government of a multitude of sins. I will wrap up quickly. The bottom line is, we should be judged by the actions we have taken, actions which have already trimmed \$1.9 billion off the deficit, actions which will move to bring a balanced budget in this province again by 1999, restore the trust of the world, restore the trust of the people in this province that this is a place they can make an investment, earn a profit and derive a good living.

The Speaker: It being 6 of the clock, this House stands adjourned until 1:30 of the clock tomorrow.

The House adjourned at 1801.

APPENDIX

PORTRAIT OF FORMER SPEAKER

The Speaker (Hon Allan K. McLean): Good evening, ladies and gentlemen, special guests, members of the Legislative Assembly. I'm Allan McLean, Speaker of the Legislative Assembly. It is a pleasure to welcome all of you here this evening as we honour David Warner, the former Speaker of this Legislative Assembly.

Special thanks go to the representatives of the three parties for making time in their always-busy schedules to join us this evening on this very special occasion. We were all members of the 35th Parliament which elected David as Speaker, in the first vote by secret ballot, and we all followed the rules during his five-year term.

I would also at this time like to recognize David's family who are here for this special event: his mother, Margaret; his wife, Pat; and daughters Sherri and Barbara. They have joined us for this unveiling ceremony. The support of one's family is very important in this job, and I am sure David's family has been very supportive as well as very proud.

David Warner was elected to the provincial Parliament for the riding of Scarborough-Ellesmere in Metropolitan Toronto, and he was there for four terms. He was first elected in 1975 and re-elected in 1977, 1985 and 1990. At the beginning of the 35th Parliament, he became the first Speaker to be elected by a secret ballot of members. As Chairman of the Board of Internal Economy, Mr Warner was responsible for the fiscal management of the Ontario Legislature and the provision of services to members.

During David's term as Speaker, he served as co-chair of the special committee on the parliamentary precinct, established by the Ontario Legislature to develop and supervise a restoration and renovation program for the Legislative Building here at Queen's Park. He presided over the 1993 celebration of the centennial of the Legislative Building.

During his earlier terms at Queen's Park, Mr Warner served as chief caucus whip for the New Democrats, was critic for several ministries, including Attorney General, and served on the select committee on health care costs in 1979 and on the standing committee on the Legislative Assembly from 1985 to 1987.

By profession, Mr Warner is a teacher with the Scarborough Board of Education. He is particularly interested in international politics and took part in a fact-finding mission to Nicaragua in 1987. His interest in global education took him to India in the summer of 1990 as part of a Canadian team, Project Overseas.

Before I turn to the platform guests and others, I would like to give you a little background on the artist who painted Speaker Warner's portrait.

Born in Hungary in 1942, Istvan Nyikos has lived in Canada since 1969. He started painting while studying literature and philosophy at the University of Toronto. Shortly after graduating with a bachelor of arts degree in 1973, he enrolled at the Ontario College of Art and studied painting in Toronto and Florence, Italy.

After graduation, he received a grant from the Green-shields Foundation to travel and study art in Europe and subsequently spent the next six years painting commissioned portraits in England, Germany and Spain.

Since returning to Canada permanently in 1983, he has been painting portraits here and in the United States. Other commissioned portraits include those of former Speaker Hugh Edgihoffer and former Premier William Davis.

Now I would like to invite representatives of the three caucuses—Mr Gerry Phillips, MPP for Scarborough-Agincourt; Mr Floyd Laughren, MPP for Nickel Belt; and Mr Ted Arnott, MPP for Wellington—to help unveil the portrait.

The portrait was unveiled.

The Speaker: I would like at this time to turn the platform over to Mr Ted Arnott to bring greetings on behalf of the Premier and the government.

Mr Ted Arnott (Wellington): Thank you very much, Mr Speaker. Good evening, ladies and gentlemen. Let me just say what an honour it is—and a short-notice honour, I must also add—to be able to participate in this occasion this evening.

I have known David Warner now for five years and I've known him as a friend. I think I can say that, David, with your concurrence, I hope. He was the Speaker when I was first elected and he certainly opened the door to me in a lot of ways.

The job of Speaker, as we know, is at times a very, very difficult one, and David at all times performed that job with dignity, with respect for all the members and in a very fair and even-handed way.

David, I just want to say, on behalf of the government caucus, we thank you for your contribution to public life. Who knows, you may be back here again at some future date—and I hope you are. Please accept our best wishes for success in future years.

The Speaker: Thank you very much, Ted. I would now like to call upon the Scarborough-Agincourt member of provincial Parliament, Gerry Phillips, representing the leader of Her Majesty's loyal opposition, Lyn McLeod, to speak.

Mr Gerry Phillips (Scarborough-Agincourt): Mr Speaker and David and Pat, I really appreciate the chance to represent our caucus, the Liberal caucus. I'm sure, Ted, that Marilyn Mushinski took a deep breath when you said you were looking forward to David coming back. Marilyn won that riding. In politics, we come and we go, as they say.

I may have known David longer than most people here, other than mother. I've known him longer than the daughters, I think. He and I come from the same area in Scarborough, and he's been a well-known and well-respected teacher in schools that our kids have gone to. Pat is an equally well-known teacher. So I've known him in that respect. We go to the same barber too, I think, don't we, Dave? Yours looks a little better than mine.

I must declare a conflict here, because David and Pat are constituents of mine. I keep working and working,

hoping maybe some day I might be able to get their votes too. I have a bit of a conflict here, but I'm pleased to represent our caucus, and many of our members are here as well. I see Monte Kwinter and Gilles Morin, and there are others who I probably don't see out there right now.

David, you really earned the respect of everyone here as Speaker. I think the fact that you were the first elected Speaker speaks volumes, but also you were someone who wasn't afraid to innovate. You changed the office of the Speaker. You certainly handled all three parties well. Being Speaker is not an easy job, because you cannot command respect; you have to earn it. David worked very hard to earn respect here in the Legislature. I think all three caucuses appreciated his balance and evenhandedness.

I also admired, David, the work you did on international affairs as well. An awful lot of visitors from around the world come here to Ontario, and one of the things that David in his role as Speaker did I thought an exceptional job on was to make those delegations feel welcome, to feel at home and to feel that this is a province where they can come and feel welcome and do business with.

It's a real honour for me to have a chance to represent the Liberal caucus to say how much we appreciate what you've done here, David. I might also add that I'm really thrilled with the artist's rendition. I think, David, you should be very pleased with the fine work. I'm pleased to be here at the unveiling and to wish you and Pat and the family all the very, very best.

The Speaker: Thank you, Gerry. I would now like to ask the member for Nickel Belt, Floyd Laughren, representing the leader of the New Democratic Party, Mr Bob Rae, to come forward.

Mr Floyd Laughren (Nickel Belt): Mr Speaker, ladies and gentlemen, David, Pat and family, I am really happy to be here at this occasion. This is too much of an in-joke, I suppose, but David and I go all the way back to debates on the Magna Carta. He fell back on the Magna Carta to try and make some points when I think he was the critic for the Attorney General, as I recall, and it was a remarkable number of days in the Legislature.

I am impressed with the portrait. I wanted to ask the artist how hard it is to paint pictures bigger than life. I can say that and get away with it. I have a right to say that. David may be mad at me for saying this, but I'm going to say it anyway. I remember when David became the Speaker. His predecessor, I think, was Hugh Edgihoffer, who was about six foot 13 or something—he was too tall, anyway. When David was taking over the chair, about two or three inches were sawed off the bottom of the legs of the Speaker's chair. I'm wondering whether that couldn't be done to the picture as well. Maybe it was originally longer than that. I'm not at all sure.

David served the Legislature extremely well. He gets elected every second term. Because of that, in the interest of austerity, he gets a termination allowance every time he's defeated. So he's paying for his own portrait today.

I remember in my previous role that David oversaw the restoration of the outside of the building, which was

really critically important to do. I mean, the place was crumbling. I'm very pleased that went on. I have to confess that there were moments when I had heartburn as those bills were coming in for the exterior restoration. But it really did have to be done, and I'm really pleased that David oversaw that. It is, I guess, almost done now, and it's an important project for the people of this province.

I am very happy to represent New Democrats here this evening and to wish you all the very best. I'd like to do one thing more than shake your hand; I'd like to give Pat a hug.

The Speaker: Thank you very much, Floyd. Now, I'd like to turn it over to the special individual here tonight, former Speaker David Warner.

Mr David Warner: Mr Speaker, honourable members, ladies and gentlemen: Order! I wanted to try that just one more time. First, of course, I want to thank my family for being here and sharing this wonderful moment with me. My mom is here. My brother lives in the Yukon, so he isn't able to be here. My sister, Marilyn, is here, and my daughters, Sherri and Barbara, and a lot of friends and a lot of former colleagues who I worked with.

I notice that Eileen Chalk is here, and Lorna Prokaska and the staff who helped me as a member—Linda, Francine, Irene, Bruna and Hrach—and of course the staff who helped me as Speaker—Gayle, Elaine, Judy, Heather, Lina and Gloria—are all here.

Our senior staff who really ensure that this place functions day by day by day are here; that of course is headed by the Clerk, ably assisted by the other executive members who are here this evening: Mary, Barbara and Bill. I know that a couple of the commissioners are here, and again I had the great pleasure and privilege of working with the commissioners. I see the Ombudsman is here, and the chief electoral officer, with whom I have a slight disagreement about how we count ballots in certain ridings—but anyway. The provincial auditor, Erik Peters, is here and the Freedom of Information and Privacy Commissioner is here.

I don't mean by any means to leave anyone out. Suffice it to say that as I'd list the friends and the family, I hope you will get the picture that it is impossible to do alone any job which has a great deal of responsibility attached to it, and this job is no exception. I appreciate the very kind remarks that have been made by my former colleagues from all three parties, but I can tell you that it would not have been possible to do the job and to appear evenhanded and fair and judicious if it weren't for the goodwill of the members of the assembly in wanting to make this assembly function properly.

It was a great joy for me to have the responsibility and the privilege and the opportunity to share some vision, whether it was about restoring the most important building in the province, our assembly, or whether it was reaching out to fledgling democracies in Cambodia, Latvia or Cuba or trying to develop a friendship agreement with a province in China, which we were able to do.

Closer to home, one of the projects that overall is probably closest to my heart, was developing a parlia-

mentary association with Quebec. Through that association, our members and the members in Quebec had an opportunity, some for the first time, to learn a little bit about each other's province, each other's culture and background and try to set a firmer and gentler path between our two provinces.

I really do appreciate all those opportunities, but if it wasn't for the staff who were here supporting me, I couldn't have done the work, and I know that.

My family has have supported me all the way through this smooth-path career that I've had over the past 25 years. From day one, Pat has always been enormously supportive of my career, through the ups and downs. When I lost in 1981, we had a discussion about my political future, and there was no doubt that Pat was going to be steadfastly supporting me as I attempted to gain my way back here. The same happened when I lost in 1987. Whether or not we will try this round again, I don't know. Based on the formula that's at work here, maybe all I have to do is put my name on a ballot; I don't know, but we'll see what happens.

In another vein, one of the things I learned from the job was that Ontario is an extremely important player not only in Canada and in the Commonwealth but in the world. It is amazing, when you meet with various people around the globe, how much respect they have for our province and how important we are in their eyes. I think the work with the Commonwealth is exceedingly important and helps to create a better world.

Our province was a contributor, along with other member states of the Commonwealth, in helping to ensure a smooth path to democracy for South Africa. Now that South Africa is moving along that path nicely, our attention should be focused on Nigeria. Again, our assembly has a role to play in that.

It will be surprising to those members who take up the opportunity to learn how much respect the members will have in other parts of the world when Ontario and the Ontario assembly speaks up on behalf of democracy. It's a challenge, and those challenges are something that I always enjoy.

I couldn't have done the job of Speaker if it hadn't been for those who also occupied the chair. In the early days, from the New Democratic Party, I had Karen Haslam serving as one of the chair occupants, then Mike Farnan, Dennis Drainville and finally Margaret Harrington, all of them doing an outstanding job in trying to make sure that the business of the House flowed smoothly and that, regardless of who was sitting in the chair, the same decision would be coming.

Then there was Noble Villeneuve, who is not able to join us this evening. He is now the Minister of Agriculture, Food and Rural Affairs. Noble and I, through working together for the five years—he was Second Deputy Chair—and always meeting every Wednesday morning, along with Gilles Morin, became friends.

The friendship that developed between Noble, myself and Gilles I think put to rest some of the qualms that people might have about how rigid politics has to be. You realize that there isn't a corner on wisdom, that

other people can have good ideas, and no matter if you have some differences, if you focus on the good ideas, if you focus on the things you have in common, those differences seem really small. You always seek for the good things that you can put together, that you have in common.

Through our experience, I know that not only did we do a job as a team but we grew to respect each other very deeply and we became friends. That for me is a lasting impression; it's the type of politics I like and it was the kind of experience I wanted to have. I was very fortunate to have that opportunity.

I want to take a moment to talk about Mr Nyikos. You know he's an extraordinary man: He made me look good, and that's not an easy task. I shared with him at the outset, never having had my portrait painted before, that I had no idea if this would be like a trip to the dentist. It turned out to be far more enjoyable than I thought. There was always a cup of hot, fresh coffee and a biscuit or two at his studio, and we could sit for a couple of hours and would chat about a whole range of things.

I learned a lot about this astonishing and marvellous man and his interesting background and came to respect him not only as an artist but as a person. The portrait that you've done, sir, is absolutely magnificent, and I thank you. I thank you very much for it.

Earlier this afternoon, I was surprised with a little gathering up in room 228. I thought I was going up to look at some new carpet or something, and it turns out there were about 100 of the staff there. They were kind enough to present me with some very memorable photos, nicely framed, memories that I have of this place. I shared with them, as I share with you, that this is a very special place. The staff here are very professional, very well schooled and trained in carrying out all their duties.

As I had the opportunity to visit various parliaments around the Commonwealth, I always came away feeling exceedingly proud of our staff. There isn't a better staff anywhere. Even though we are fewer in number than many parliaments, certainly per capita fewer than any parliament in Canada, I think we have the most efficient and effective staff you will find anywhere. I know at times I felt that I was overburdening them, that I was pushing too hard, but they always did everything that was asked and then much more. They made my job much easier. For that I will thank them and I will say that I will always miss them and I will miss this place. This place has meant a lot to me, and especially the last five years. It's been an important part of my life, and I will miss it.

In closing, I think if this five years has taught me anything, it has taught me that governments will come and go, always—that's the nature of democracy—but the strength of our democracy lies in our parliament. In the final analysis, it will be a parliament which solves the big problems. That's why we always support a parliamentary democracy.

I notice that my good friend Noble has arrived. May I say to you, Noble, that I want to thank you very much for helping me. If I achieved any success during the last five years, you helped to make it happen. You and I have

been friends through it, and I thank you very much. I thank all of you for coming tonight and helping to share this very wonderful and happy occasion with me and with my family. Who knows? Maybe I'll be back.

The Speaker: Thank you very much, David. Due to the fact that Noble has arrived and he sat around the table with you on those Wednesday mornings, I would like the honourable minister to come forward and say a brief few words, please.

Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs): Thank you, Mr Speaker. Mr Former Speaker, Pat, family, friends and colleagues, it was indeed an honour for me to have shared the Speaker's chair with my good friend David.

I knew David before he was Speaker. I don't know what went on here before, but I was in policy and priorities—the former Treasurer would know all about that—and the going is tough here and it took a lot longer to accomplish very little.

However, it's a situation where when I knew David—and I was first elected in a by-election; it will be 12 years very shortly, on December 15—this little fellow from Scarborough-Ellesmere got under my skin real good. He knew how to do it. I was new. People who were there before knew David Warner. I said, "My goodness, this is a rough little guy."

Then he came back. He called it a sabbatical that he had. He went away and then he came back again. That's when I really got to know the true David Warner, a gentleman all the way.

He always decided in favour of the legislators. His motto was, "It is your Parliament, and if indeed you want to misbehave, you will suffer the consequences." I appreciated that. The elected people came to appreciate that. There were days when it wasn't easy. There were days when David had to say, "Order." A couple of times at the beginning he said, "Whoa, whoa, whoa." I didn't know he was from a farming background, but that didn't work either.

We had to take a few recesses initially, and then David decided, "Well, it's your House, folks; you were elected up there, and if you want to use it that way, we'll weather the storm." And then we got to know that David would let us weather the storm, and if we accomplished nothing, as he would say, then so be it; it was our fault.

Mr Former Speaker, it has been an honour to have spent those Wednesday mornings with you; sometimes I was late getting there, as I was tonight, although it was not because I did not want to be with you. We solved some problems, we may have created a few, but all in all we were elected to serve the people and you have been an excellent public servant. Congratulations and thank you—and we may see you back again.

The Speaker: I'd like to thank the platform party and I'd like to thank all the members, the former members, guests who have come this evening to this special event to recognize David Warner's tenure as Speaker.

The official portion of the evening has now concluded, and I invite everyone to join us at a special reception in the legislative dining room. I thank you one and all for coming. Good evening.

**LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

**Lieutenant Governor / Lieutenant-gouverneur: Lt Col The Hon / L'hon Henry N.R. Jackman CM, KStJ, BA, LLB, LLD
Speaker / Président: Hon / L'hon Allan K. McLean**

Clerk / Greffier: Claude L. DesRosiers

Senior Clerk Assistant and Clerk of Journals / Greffier adjoint principal et Greffier des journaux: Alex D. McFedries

Clerk Assistant and Clerk of Committees / Greffière adjointe et Greffière des comités: Deborah Deller

Sergeant at Arms / Sergent d'armes: Thomas Stelling

Member / Député(e)	Constituency / Circonscription	Party / Parti	Other responsibilities / Autres responsabilités
Agostino, Dominic	Hamilton East / -Est	L	
Arnott, Ted	Wellington	PC	
Baird, John R.	Nepean	PC	parliamentary assistant to the Minister of Labour / adjoint parlementaire de la ministre du Travail
Barrett, Toby	Norfolk	PC	
Bartolucci, Rick	Sudbury	L	
Bassett, Isabel	St Andrew-St Patrick	PC	parliamentary assistant to the Minister of Finance, deputy government House leader / adjointe parlementaire du ministre des Finances, chef parlementaire adjointe du gouvernement
Beaubien, Marcel	Lambton	PC	parliamentary assistant (rural affairs) to the Minister of Agriculture, Food and Rural Affairs / adjoint parlementaire (secteur Affaires rurales) du ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Bisson, Gilles	Cochrane South / -Sud	ND	
Boushy, Dave	Sarnia	PC	
Boyd, Marion	London Centre / -Centre	ND	
Bradley, James J.	St Catharines	L	deputy opposition leader, opposition House leader / chef adjoint de l'opposition, chef parlementaire de l'opposition
Brown, Jim	Scarborough West / -Ouest	PC	
Brown, Michael A.	Algoma-Manitoulin	L	deputy opposition whip / whip adjoint de l'opposition
Caplan, Elinor	Oriole	L	chief opposition whip / whip en chef de l'opposition
Carr, Gary	Oakville South / -Sud	PC	parliamentary assistant to the Solicitor General and Minister of Correctional Services / adjoint parlementaire du solliciteur général et du ministre des Services correctionnels
Carroll, Jack	Chatham-Kent	PC	
Castrilli, Annamarie	Downsview	L	
Chiarelli, Robert	Ottawa West / -Ouest	L	
Christopherson, David	Hamilton Centre / -Centre	ND	deputy New Democratic Party whip / whip adjoint du Nouveau Parti démocratique
Chudleigh, Ted	Halton North / -Nord	PC	
Churley, Marilyn	Riverdale	ND	Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Présidente du Comité plénier de l'Assemblée législative
Cleary, John C.	Cornwall	L	
Clement, Tony	Brampton South / -Sud	PC	parliamentary assistant to the Minister of Citizenship, Culture and Recreation / adjoint parlementaire de la ministre des Affaires civiles, de la Culture et des Loisirs
Colle, Mike	Oakwood	L	
Conway, Sean G.	Renfrew North / -Nord	L	
Cooke, David S.	Windsor-Riverside	ND	New Democratic Party House leader / chef parlementaire du Nouveau Parti démocratique
Cordiano, Joseph	Lawrence	L	
Crozier, Bruce	Essex South / -Sud	L	deputy opposition whip / whip adjoint de l'opposition
Cunningham, Hon / L'hon Dianne	London North / -Nord	PC	Minister of Intergovernmental Affairs, minister responsible for women's issues / ministre des Affaires intergouvernementales, ministre déléguée à la Condition féminine
Curling, Alvin	Scarborough North / -Nord	L	

Member / Député(e)	Constituency / Circonscription	Party / Parti	Other responsibilities / Autres responsabilités
Danford, Harry	Hastings-Peterborough	PC	parliamentary assistant (agriculture and food) to the Minister of Agriculture, Food and Rural Affairs / adjoint parlementaire (secteurs Agriculture et Alimentation) du ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
DeFaria, Carl	Mississauga East / -Est	PC	
Doyle, Ed	Wentworth East / -Est	PC	assistant deputy government whip / whip adjoint suppléant du gouvernement
Duncan, Dwight	Windsor-Walkerville	L	
Ecker, Janet	Durham West / -Ouest	PC	parliamentary assistant to the Minister of Community and Social Services / adjointe parlementaire du ministre des Services sociaux et communautaires
Elliott, Hon / L'hon Brenda	Guelph	PC	Minister of Environment and Energy / ministre de l'Environnement et de l'Énergie
Eves, Hon / L'hon Ernie L.	Parry Sound	PC	Deputy Premier, Minister of Finance, government House leader / vice-premier ministre, ministre des Finances, leader parlementaire du gouvernement
Fisher, Barbara	Bruce	PC	
Flaherty, Jim	Durham Centre / -Centre	PC	parliamentary assistant to the Minister of Consumer and Commercial Relations / adjoint parlementaire du ministre de la Consommation et du Commerce
Ford, Douglas B.	Etobicoke-Humber	PC	
Fox, Gary	Prince Edward-Lennox-South Hastings / Prince Edward-Lennox-Hastings-Sud	PC	
Froese, Tom	St Catharines-Brock	PC	
Galt, Doug	Northumberland	PC	parliamentary assistant (environment) to the Minister of Environment and Energy / adjoint parlementaire (secteur Environnement) de la ministre de l'Environnement et de l'Énergie
Gerretsen, John	Kingston and The Islands / Kingston et Les Îles	L	
Gilchrist, Steve	Scarborough East / -Est	PC	
Grandmaître, Bernard	Ottawa East / -Est	L	
Gravelle, Michael	Port Arthur	L	
Grimmett, Bill	Muskoka-Georgian Bay / Muskoka-Baie-Georgienne	PC	parliamentary assistant (tourism) to the Minister of Economic Development, Trade and Tourism / adjoint parlementaire (secteur Tourisme) du ministre du Développement économique, du Commerce et du Tourisme
Guzzo, Garry J.	Ottawa-Rideau	PC	parliamentary assistant (energy) to the Minister of Environment and Energy / adjoint parlementaire (secteur Énergie) de la ministre de l'Environnement et de l'Énergie
Hampton, Howard	Rainy River	ND	
Hardeman, Ernie	Oxford	PC	parliamentary assistant (municipal affairs – rural) to the Minister of Municipal Affairs and Housing / adjoint parlementaire (Affaires municipales – secteur rural) du ministre des Affaires municipales et du Logement
Harnick, Hon / L'hon Charles	Willowdale	PC	Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Harris, Hon / L'hon Michael D.	Nipissing	PC	Premier and President of the Executive Council / premier ministre et président du Conseil exécutif
Hastings, John	Etobicoke-Rexdale	PC	
Hodgson, Hon / L'hon Chris	Victoria-Haliburton	PC	Minister of Natural Resources, Minister of Northern Development and Mines / ministre des Richesses naturelles, ministre du Développement du Nord et des Mines
Hoy, Pat	Essex-Kent	L	
Hudak, Tim	Niagara South / -Sud	PC	
Jackson, Hon / L'hon Cameron	Burlington South / -Sud	PC	Minister without Portfolio (Workers' Compensation Board) / ministre sans portefeuille (Commission des accidents du travail)
Johns, Helen	Huron	PC	parliamentary assistant to the Minister of Health / adjointe parlementaire du ministre de la Santé

Member / Député(e)	Constituency / Circonscription	Party / Parti	Other responsibilities / Autres responsabilités
Johnson, Bert	Perth	PC	Deputy Speaker and Chair of the Committee of the Whole House / Vice-Président de la Chambre et Président du Comité plénier de l'Assemblée législative
Johnson, Hon / L'hon David	Don Mills	PC	Chair of the Management Board of Cabinet / président du Conseil de gestion
Johnson, Ron	Brantford	PC	
Jordan, Leo	Lanark-Renfrew	PC	deputy government whip / whip adjoint du gouvernement
Kells, Morley	Etobicoke-Lakeshore	PC	
Klees, Frank	York-Mackenzie	PC	parliamentary assistant to the Minister of Natural Resources / adjoint parlementaire du ministre des Richesses naturelles
Kormos, Peter	Welland-Thorold	ND	
Kwinter, Monte	Wilson Heights	L	
Lalonde, Jean-Marc	Prescott and Russell / Prescott et Russell	L	
Lankin, Frances	Beaches-Woodbine	ND	chief New Democratic Party whip / whip en chef du Nouveau Parti démocratique
Laughren, Floyd	Nickel Belt	ND	deputy New Democratic Party leader / chef adjoint du Nouveau Parti démocratique
Leach, Hon / L'hon Al	St George-St David	PC	Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Leadston, Gary L.	Kitchener-Wilmot	PC	
Marchese, Rosario	Fort York	ND	
Marland, Margaret	Mississauga South / -Sud	PC	
Martel, Shelley	Sudbury East / -Est	ND	
Martin, Tony	Sault Ste Marie	ND	
Martiniuk, Gerry	Cambridge	PC	
Maves, Bart	Niagara Falls	PC	
McGuinty, Dalton	Ottawa South / -Sud	L	
McLean, Hon / L'hon Allan K.	Simcoe East / -Est	PC	Speaker / Président
McLeod, Lyn	Fort William	L	Leader of the Opposition / chef de l'opposition
Miclash, Frank	Kenora	L	deputy opposition House leader / chef parlementaire adjoint de l'opposition
Morin, Gilles E.	Carleton East / -Est	L	First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Munro, Julia	Durham-York	PC	parliamentary assistant to the Premier / adjointe parlementaire du premier ministre
Murdoch, Bill	Grey-Owen Sound	PC	parliamentary assistant to the Minister of Northern Development and Mines / adjoint parlementaire du ministre du Développement du Nord et des Mines
Mushinski, Hon / L'hon Marilyn	Scarborough-Ellesmere	PC	Minister of Citizenship, Culture and Recreation / ministre des Affaires civiques, de la Culture et des Loisirs
Newman, Dan	Scarborough Centre / -Centre	PC	parliamentary assistant to the minister responsible for native affairs / adjoint parlementaire du ministre délégué aux Affaires autochtones
North, Peter	Elgin	Ind	
O'Toole, John R.	Durham East / -Est	PC	
Ouellette, Jerry J.	Oshawa	PC	parliamentary assistant to the Minister of Transportation / adjoint parlementaire du ministre des Transports
Palladini, Hon / L'hon Al	York Centre / -Centre	PC	Minister of Transportation / ministre des Transports
Parker, John L.	York East / -Est	PC	
Patten, Richard	Ottawa Centre / -Centre	L	
Pettit, Trevor	Hamilton Mountain	PC	
Phillips, Gerry	Scarborough-Agincourt	L	
Pouliot, Gilles	Lake Nipigon / Lac-Nipigon	ND	
Preston, Peter L.	Brant-Haldimand	PC	
Pupatello, Sandra	Windsor-Sandwich	L	

Member / Député(e)	Constituency / Circonscription	Party / Parti	Other responsibilities / Autres responsabilités
Rae, Bob	York South / -Sud	ND	New Democratic Party leader / chef du Nouveau Parti démocratique
Ramsay, David	Timiskaming	L	
Rollins, E.J. Douglas	Quinte	PC	
Ross, Lillian	Hamilton West / -Ouest	PC	assistant deputy government whip / whip adjoint suppléant du gouvernement
Runciman, Hon / L'hon Robert W.	Leeds-Grenville	PC	Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels
Ruprecht, Tony	Parkdale	L	
Sampson, Rob	Mississauga West / -Ouest	PC	parliamentary assistant to the Minister of Finance / adjoint parlementaire du ministre des Finances
Saunderson, Hon / L'hon William	Eglinton	PC	Minister of Economic Development, Trade and Tourism / ministre du Développement économique, du Commerce et du Tourisme
Sergio, Mario	Yorkview	L	
Shea, Derwyn	High Park-Swansea	PC	parliamentary assistant (municipal affairs – urban) to the Minister of Municipal Affairs and Housing / adjoint parlementaire (Affaires municipales – secteur urbain) du ministre des Affaires municipales et du Logement
Sheehan, Frank	Lincoln	PC	
Silipo, Tony	Dovercourt	ND	deputy New Democratic Party House leader / chef parlementaire adjoint du Nouveau Parti démocratique
Skarica, Toni	Wentworth North / -Nord	PC	parliamentary assistant to the Minister of Education and Training / adjoint parlementaire du ministre de l'Éducation et de la Formation
Smith, Bruce	Middlesex	PC	
Snobelen, Hon / L'hon John	Mississauga North / -Nord	PC	Minister of Education and Training / ministre de l'Éducation et de la Formation
Spina, Joseph	Brampton North / -Nord	PC	parliamentary assistant (small business) to the Minister of Economic Development, Trade and Tourism / adjoint parlementaire (secteur petites entreprises) du ministre du Développement économique, du Commerce et du Tourisme
Sterling, Hon / L'hon Norman W.	Carleton	PC	Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce
Stewart, R. Gary	Peterborough	PC	
Stockwell, Chris	Etobicoke West / -Ouest	PC	
Tascona, Joseph N.	Simcoe Centre / -Centre	PC	
Tilson, David	Dufferin-Peel	PC	parliamentary assistant to the Attorney General / adjoint parlementaire du procureur général
Tsubouchi, Hon / L'hon David H.	Markham	PC	Minister of Community and Social Services / ministre des Services sociaux et communautaires
Turnbull, David	York Mills	PC	chief government whip / whip en chef du gouvernement
Vankoughnet, Bill	Frontenac-Addington	PC	
Villeneuve, Hon / L'hon Noble	S-D-G & East Grenville / S-D-G et Grenville-Est	PC	Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales, ministre délégué aux Affaires francophones
Wettlaufer, Wayne	Kitchener	PC	assistant deputy government whip / whip adjoint suppléant du gouvernement
Wildman, Bud	Algoma	ND	
Wilson, Hon / L'hon Jim	Simcoe West / -Ouest	PC	Minister of Health / ministre de la Santé
Witmer, Hon / L'hon Elizabeth	Waterloo North / -Nord	PC	Minister of Labour / ministre du Travail
Wood, Bob	London South / -Sud	PC	parliamentary assistant to the Chair of the Management Board of Cabinet / adjoint parlementaire du président du Conseil de gestion
Wood, Len	Cochrane North / -Nord	ND	
Young, Terence H.	Halton Centre / -Centre	PC	parliamentary assistant (colleges and universities) to the Minister of Education and Training / adjoint parlementaire (secteur collèges et universités) du ministre de l'Éducation et de la Formation

**STANDING COMMITTEES OF THE LEGISLATIVE ASSEMBLY
COMITÉS PERMANENTS DE L'ASSEMBLÉE LÉGISLATIVE**

Administration of justice / Administration de la justice

Chair / Président: Gerry Martiniuk
Vice-Chair / Vice-Président: Ron Johnson
Marion Boyd, Robert Chiarelli, Sean G. Conway,
Ed Doyle, Garry J. Guzzo, Howard Hampton,
Tim Hudak, Ron Johnson, Frank Klees,
Gary L. Leadston, Gerry Martiniuk, John L. Parker,
David Ramsay, David Tilson
Clerk / Greffière: Donna Bryce

Estimates / Budgets des dépenses

Chair / Président: Alvin Curling
Vice-Chair / Vice-Président: Joseph Cordiano
Toby Barrett, Gilles Bisson, Jim Brown,
Michael A. Brown, John C. Cleary, Tony Clement,
Joseph Cordiano, Alvin Curling, Morley Kells,
Tony Martin, E.J. Douglas Rollins, Lillian Ross,
Frank Sheehan, Wayne Wettlaufer
Clerk / Greffière: Tannis Manikel

**Finance and economic affairs /
Finances et affaires économiques**

Chair / Président: Ted Chudleigh
Vice-Chair / Vice-Président: Tim Hudak
Ted Arnott, Jim Brown, Annamarie Castrilli,
Ted Chudleigh, Douglas B. Ford, Tim Hudak,
Frances Lankin, Monte Kwinter, Gerry Martiniuk,
Gerry Phillips, Rob Sampson, Tony Silipo,
Joseph Spina, Wayne Wettlaufer
Clerk / Greffier: Franco Carrozza

General government / Affaires gouvernementales

Chair / Président: Jack Carroll
Vice-Chair / Vice-Président: Bart Maves
Jack Carroll, Harry Danford, Jim Flaherty,
Bernard Grandmaître, Ernie Hardeman, Morley Kells,
Rosario Marchese, Bart Maves, Sandra Papatello,
Mario Sergio, R. Gary Stewart, Joseph N. Tascona,
Len Wood, Terence H. Young
Clerk / Greffière: Tonia Grannum

Government agencies / Organismes gouvernementaux

Chair / Président: Floyd Laughren
Vice-Chair / Vice-Président: Tony Martin
Rick Bartolucci, Bruce Crozier, Douglas B. Ford,
Gary Fox, Michael Gravelle, Bert Johnson, Peter Kormos,
Floyd Laughren, Gary L. Leadston, Tony Martin,
Dan Newman, Peter L. Preston, Lillian Ross, Bob Wood
Clerk / Greffière: Tannis Manikel

Legislative Assembly / Assemblée législative

Chair / Président: Ted Arnott
Vice-Chair / Vice-Président: John Hastings
Ted Arnott, Rick Bartolucci, Dave Boushy, David S. Cooke,
Carl DeFaria, Tom Froese, Bill Grimmett, John Hastings,
Ron Johnson, Frank Miclash, Gilles E. Morin,
John R. O'Toole, Tony Silipo, R. Gary Stewart
Clerk / Greffière: Lisa Freedman

Ombudsman

Chair / Président: John L. Parker
Vice-Chair / Vice-Président: Tom Froese
Elinor Caplan, Carl DeFaria, Ed Doyle, Barbara Fisher,
Tom Froese, Doug Galt, Pat Hoy, Leo Jordan,
Jean-Marc Lalonde, Rosario Marchese, John L. Parker,
Chris Stockwell, Bill Vankoughnet, Len Wood
Clerk / Greffier: Todd Decker

Public accounts / Comptes publics

Chair / Président: Dalton McGuinty
Vice-Chair / Vice-Président: Mike Colle
Dominic Agostino, Marcel Beaubien, Dave Boushy,
Gary Carr, Mike Colle, Bruce Crozier, Gary Fox,
Steve Gilchrist, John Hastings, Shelley Martel,
Dalton McGuinty, Gilles Pouliot, Toni Skarica,
Bill Vankoughnet
Clerk / Greffier: Todd Decker

**Regulations and private bills /
Règlements et projets de loi privés**

Chair / Président: Toby Barrett
Vice-Chair / Vice-Président: Bruce Smith
Toby Barrett, Gilles Bisson, Dave Boushy, John Hastings,
John R. O'Toole, Trevor Pettit, Gilles Pouliot,
Sandra Papatello, E.J. Douglas Rollins, Tony Ruprecht,
Mario Sergio, Derwyn Shea, Frank Sheehan, Bruce Smith
Clerk / Greffière: Lisa Freedman

**Resources development /
Développement des ressources**

Chair / Président: Steve Gilchrist
Vice-Chair / Vice-Présidente: Barbara Fisher
John R. Baird, Jack Carroll, David Christopherson,
Ted Chudleigh, Marilyn Churley, Dwight Duncan,
Barbara Fisher, Steve Gilchrist, Pat Hoy,
Jean-Marc Lalonde, Bart Maves, Bill Murdoch,
Jerry J. Ouellette, Joseph N. Tascona
Clerk / Greffier: Douglas Arnott

Social development / Affaires sociales

Chair / Président: Richard Patten
Vice-Chair / Vice-Président: John Gerretsen
Dominic Agostino, Janet Ecker, John Gerretsen,
Michael Gravelle, Helen Johns, Leo Jordan,
Floyd Laughren, Julia Munro, Dan Newman,
Richard Patten, Trevor Pettit, Peter L. Preston,
Bruce Smith, Bud Wildman
Clerk / Greffière: Lynn Mellor

These lists appear in the first and last issues of each session and on the first Monday of each month. A list arranged by riding appears when space permits.

Ces listes figurent dans les premier et dernier numéros de chaque session et du premier lundi de chaque mois. Par contre, une liste des circonscriptions paraît si l'espace est disponible.

CONTENTS

Monday 20 November 1995

MEMBERS' STATEMENTS

Oath of allegiance	
Mr Agostino	855
Highway accident	
Mr Wildman	855
Huron county	
Mrs Johns	855
Services for abused women	
Mrs Caplan	855
Youth services	
Ms Martel	856
Social assistance	
Mr Ron Johnson	856
Hospital restructuring	
Mr Sergio	856
Child care	
Mr Kormos	856
Child Day	
Mrs Ecker	857

STATEMENTS BY THE MINISTRY AND RESPONSES

Young offenders	
Mr Runciman	857
Mr Ramsay	858
Mrs Boyd	859
Ontario Financial Review	
Commission	
Mr Eves	857
Mr Phillips	858

ORAL QUESTIONS

Health care funding	
Mrs McLeod	859
Mr Harris	860
Services for abused women	
Mrs McLeod	860
Mr Tsubouchi	861, 863
Ms Churley	862
Mr Harris	862
Minister's comments	
Mr Rae	861
Mrs Cunningham	861
Health services	
Mrs Caplan	862
Mr Wilson	862
Ontario Housing Corp	
Mr Klees	863
Mr Leach	863

Investment funds

Mr Kwinter	863
Mr Villeneuve	864
Education policy	
Mr Wildman	864
Mr Snobelen	864
Computers in schools	
Mr Grimmett	865
Mr Snobelen	865
Justice system	
Mr McGuinty	865, 867
Mr Harnick	865
Mr Runciman	867
Child and family services	
Mr Cooke	866
Mr Tsubouchi	866
Nursing home	
Mr Jordan	867
Mr Wilson	867

PETITIONS

Child care	
Mr Ruprecht	868
Correctional facilities	
Mr Bisson	868
Runnymede Chronic Care Hospital	
Mr Shea	868
Information services	
Mr Bartolucci	869
Minister's comments	
Ms Churley	869
St Mary's Secondary School	
Mr Galt	869
Highway safety	
Mr Miclash	869
Mr Gravelle	869
Mr Ramsay	870
Hospital restructuring	
Mr Kwinter	869
Driver examinations for seniors	
Mr Jordan	869
Mr Beaubien	870
Junior kindergarten	
Mr Len Wood	870
College of Teachers	
Mr Agostino	870, 871
Amalgamation of school boards	
Mr Colle	870

FIRST READINGS

Legislative Assembly Oath of Allegiance Act, 1995, Bill 22,	
<i>Mr Agostino</i>	871
Agreed to	871

GOVERNMENT MOTIONS

Interim supply, government notice of motion number 4, <i>Mr Eves</i>	
Mr Eves	871
Mr Bradley	872
Mr Laughren	883, 891
Mr Harnick	890
Mr Phillips	890
Mr Wildman	891
Mr Carr	891
Mr Gilchrist	891
Debate adjourned	893

OTHER BUSINESS

Portrait of former Speaker	
The Speaker	855
Parliamentary procedure	
Mr Cooke	868

TABLE DES MATIÈRES

Lundi 20 novembre 1995

PREMIÈRE LECTURE

Loi de 1995 sur le serment d'allégeance des députés à l'Assemblée législative,	
projet de loi 22, <i>M. Agostino</i>	
Adoptée	871

APPENDIX

Portrait of former Speaker	
The Speaker	894
Mr Arnott	894
Mr Phillips	894
Mr Laughren	895
Mr Warner	895
Mr Villeneuve	895

420V
x1
-D23

in 1995



Government
Publications

No. 27

N° 27

ISSN 1180-2987

**Legislative Assembly
of Ontario**

First Session, 36th Parliament

**Assemblée législative
de l'Ontario**

Première session, 36^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Tuesday 21 November 1995

Mardi 21 novembre 1995

Speaker
Honourable Allan K. McLean

Président
L'honorable Allan K. McLean

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

Hansard on your computer

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. For a brochure describing the service, call 416-325-3942.

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-7411.

Subscriptions

Subscription information may be obtained from: Sessional Subscription Service, Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur votre ordinateur

Le Journal des débats et d'autres documents de l'Assemblée législative pourront paraître sur l'écran de votre ordinateur personnel en quelques heures seulement après la séance. Pour obtenir une brochure décrivant le service, téléphoner au 416-325-3942.

Renseignements sur l'Index

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-7411.

Abonnements

Pour les abonnements, veuillez prendre contact avec le Service d'abonnement parlementaire, Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311 ou, sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 21 November 1995

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 21 novembre 1995

The House met at 1332.

Prayers.

MEMBERS' STATEMENTS

HIGHWAY SAFETY

Mr Frank Miclash (Kenora): Treacherous: That's how officers of the Ontario Provincial Police described a stretch of the Trans-Canada Highway between Vermilion Bay and Kenora.

I have to ask, what action has the Solicitor General taken to protect the health and safety of the province's police officers in the face of devastating and dangerous cutbacks to road repair and winter maintenance by his colleague the Minister of Transportation?

The men and women of the OPP in the field are concerned and frustrated with this government's lack of concern for their safety and the safety of all who travel our highways.

Let me quote an officer of the OPP Kenora detachment who said:

"Any of the officers will tell you that on the easterly drive to Vermilion Bay none of us feels safe, and we drive there on a regular basis.... Officers are nervous driving that section...it's a treacherous piece of highway no matter how you look at it."

OPP officers tell me that statistics prove that this section of Highway 17 is one of the worst sections of highway in the country. The fact is that for more than two years citizens, politicians and police officers have been demanding improvement to this stretch of Highway 17, the Trans-Canada Highway.

The Ministry of Transportation upgrading plans are complete and sitting on the minister's desk, yet the death and accident toll continues to mount. My constituents and the men and women of the OPP would like the Solicitor General to explain why his government refuses to invest in their safety.

MINISTER'S COMMENTS

Ms Marilyn Churley (Riverdale): Mr Speaker, I am sending to you a copy of a letter which I sent today to the province's Integrity Commissioner. I have asked the commissioner for his opinion on whether the MPP for London North, in her role as minister responsible for women's issues, has contravened the Members' Integrity Act.

I have no choice but to take this action. The member has only replied that an investigation to claims that have been made about her would be a waste of taxpayers' money. The Premier has abdicated his responsibility by refusing to answer questions put to him yesterday by my leader.

The integrity and the credibility of this government is in question. As long as the member's comments go uninvestigated, the public, with good reason, will have to ask whether government actions are being taken in retaliation for political activity or lobbying by government-funded organizations. The air must be cleared on this matter.

GARY HERREMA

Mr Jim Flaherty (Durham Centre): It is with great sorrow that we have learned of the passing of Gary Herrema, the chair of the regional municipality of Durham, at his home on Monday, November 20, 1995, following a valiant battle against cancer.

Mr Herrema, age 57, had held the regional chair's position since December 1980. He was widely acclaimed and respected in government circles for his visionary leadership and forthrightness on issues. He had previously held a succession of public offices, among them mayor of the township of Uxbridge and, prior to regional government, deputy reeve of Scott township and a member of the council of the county of Ontario.

In addition to his numerous regional responsibilities, he was active in many other organizations, having served on the board of GO Transit and on the board of the Association of Municipalities of Ontario. He was a serving member of the Durham Region Police Services Board and was past president of the Association of Counties and Regions of Ontario.

Our deepest sympathies go to his wife, Helen; son Ron and wife Mary Anne; daughter Beth and husband Robin; son Howie and wife Liz; and his five grandchildren.

Gary Herrema was tireless in his lifelong efforts to serve his community, often at great personal cost. He will be sadly missed by his friends and colleagues on regional government, by his many associates in municipal, provincial and federal governments and by the staff of his regional administration.

MINISTER OF MUNICIPAL AFFAIRS AND HOUSING

Mr Alvin Curling (Scarborough North): Would you sign a contract with the Premier of this province after learning how he and his government have treated small business in this province?

In July the Minister of Municipal Affairs and Housing, Mr Leach, cancelled 385 construction projects that would have stimulated construction and the building industry and which has effectively put countless small firms out of business. The number of cut housing projects is now even higher. The people who expected to have decent accommodation in these developments include seniors, the disabled and special-needs residents. The minister has provided no alternative to these people.

In the aftermath from these housing cuts, the many businesses in the private sector engaged in these projects have been forced to fire staff and declare bankruptcy. What message does this send to the business people in Ontario? It tells them that the government in Ontario doesn't honour its contracts.

Would you sign a contract with Mike Harris?

His Minister of Municipal Affairs and Housing, Al Leach, has reneged on more than 391 signed contracts. He refuses to negotiate compensation to small businesses affected. He refuses to release undisputed fees earned prior to the cancellations. He refuses to discuss offers to settle. He orders contracted partners to give up right to legal action.

He orders contracted partners to volunteer time to help break contracts and stiff subcontractors. He promises on July 25 in writing to honour contract, reneges on September 15. He displays the attitude, "Sue me. I can afford better lawyers than you can," paid by the taxpayer. He interferes with small business carrying on by confiscating earned fees.

The Speaker (Hon Allan K. McLean): The member's time has expired.

JUNIOR KINDERGARTEN

Mr Peter Kormos (Welland-Thorold): This government is hell-bent on making Ontario the Mississippi of the north. It's going to pay for tax breaks for its rich friends come hell or high water, and once again, who do they pick on? Why, among others, the children of our province, with this government's bizarre, wacko proposition that junior kindergarten be made optional across the province of Ontario.

The fact is these people just aren't listening, and they have no intention of listening. They won't listen to people like Joanne van Veen from Welland, who expresses in a letter her outrage about the direction in which Ontario has been heading under this Tory tax-breaks-for-the-rich-friends government since the provincial election—in particular right now, she says, "the government's plans to make junior kindergarten optional for school boards."

Why, that really has Ms van Veen worried. She indicates that this is going to be disastrous for the future of our province and the welfare of our children, knowing full well the advantages that youngsters have who are involved in junior kindergarten programs. Those statistical data are available to any member of this government who would be so inclined to want to read them.

Joanne Di Vizio of Thorold writes to the Premier—and we know he doesn't read these letters; he doesn't want to—"I can't believe the contradictory messages. You want the citizens of Ontario to be harder-working, more self-reliant and more productive. At the same time you indicate your intention to make junior kindergarten programs optional. How shortsighted can you get?"

We ain't seen nothing yet. The worst is yet to come.

1340

ED REGIER

Mr Tom Froese (St Catharines-Brock): I would like to honour the memory of Mr Abraham Regier, better

known as Ed, for his lifetime of service to the Niagara region. Ed Regier died recently, on Sunday, November 12, 1995. He was 100 years of age at the time of his death.

Ed emigrated to Canada from Russia when he was 23 years of age. As a young man, he fought for the rights of farmers in the provinces of Alberta, Saskatchewan and Ontario. He eventually settled in the Niagara-on-the-Lake area.

Fifty years ago, the farmers in the Niagara-on-the-Lake area did not feel that their economic investment needs were served by traditional financial institutions, so together Ed and a group of farmers started a cooperative. This cooperative, which initially ran out of Ed's basement, became the Niagara Credit Union. As many in this House know, the Niagara Credit Union now has a network of 14 branches and 63,000 members.

As a former manager of the Virgil branch of the Niagara Credit Union, I got to know at first hand of Ed Regier's tremendous contribution to his community. It is individuals like him we want to honour, people who give of themselves for their communities, people who leave a legacy for all of us.

I wish to express my sincere gratitude to Ed Regier's family and friends for his life and his spirit of entrepreneurship and the service he has left with us.

CHILD CARE

Mrs Sandra Pupatello (Windsor-Sandwich): Mike Harris has declared war on our children. On Friday, we launched a postcard campaign encouraging parents across Ontario to speak to us so we can deliver a message to Mike Harris to leave child care alone. I've been overwhelmed by the number of people who have contacted my office over the past few days to obtain postcards so they can send a message to the Premier that they want to save regulated, licensed child care in this province.

Since taking office the government has launched an attack on families across the province that rely on regulated child care. They rely on licensed child care to work. They rely on child care to go to school. They rely on child care to give the child advantages they never had. If this government thinks that child care is not related to employment and jobs, they're sadly mistaken. Child care is as critical to jobs and employment as roads and cars to get themselves to work.

But the assault doesn't stop there. Now he's thrown a grenade at the child care industry by threatening to deregulate the child care industry.

Regulations protect our children, protect them from being placed at risk. Regulations ensure that children are cared for by trained staff, ensure that children are not just plunked down in front of a television set. Regulations ensure that child care centres meet fire codes. Regulations guarantee parents that their children are safe and protected from harm.

We've all heard the horror stories of children left in unregulated care. I hope the Premier and his caucus will look—

The Speaker (Hon Allan K. McLean): Time has expired.

YOUTH EMPLOYMENT PROGRAMS

Mr Rosario Marchese (Fort York): I have here 100 letters from young people and 10 letters from employers urging the government not to cut Jobs Ontario Youth and Futures. Most of these letters are addressed to Premier Harris, but copies were also sent to me. I was deeply moved by these letters, which tell of a chance to acquire real employment skills, not the make-work associated with Tory workfare programs, a real job and a real future instead of a bleak deadend job or welfare.

I understand that the Minister of Education and Training is currently reviewing funding for Ontario Training and Adjustment Board youth employment programs. Before any decision is made, I believe that ministers of cabinet should all have the opportunity to read these letters. I will be sending them to the Minister of Education and I ask that he share them with his cabinet colleagues. Before I do so, however, I would like to quote from two of the letters.

From a young woman who got a permanent job in the music industry after her Futures placement:

"I honestly feel that without Futures, I would not be as far along in my career as I am now."

Here's what an employer said in a letter to the Youth Employment Service:

"The Futures program is the only decent thing for a small independent business that the government has to offer. Everyone wins.... I can understand if something is not working, you get rid of it, but when it's working and to such a successful extent for so many people, why would you stop?"

Indeed, we ask, why indeed would you stop?

RED RIBBON CAMPAIGN

Mr David Tilson (Dufferin-Peel): I would like to inform the members of the House that today is the national launch of MADD's Red Ribbon Campaign. I was proud this morning to represent the government at the official launch of this year's campaign.

Now in its seventh year, the Red Ribbon Campaign has spread throughout the country. Mothers Against Drunk Driving has done an exceptional job in bringing together community and corporate partners. Wherever we go, we will see red ribbons flying on our cars, trucks and even snowmobiles. The simple act of tying a red ribbon on to your car aerial says drinking and driving won't be condoned by our community.

The Ministry of the Attorney General has had a long-standing relationship with MADD Canada. We respect and appreciate the work these volunteers do for the victims of drunk drivers. Together we have achieved significant progress in reducing impaired driving since the mid-1980s, but we still have more work to do. Every year, drinking and driving costs Ontarians \$1.3 billion in personal financial loss, medical expenses and property damage, but no amount of money can measure the tragedy and suffering imposed on the innocent victims of this crime.

We are committed to implementing new measures that will further reduce impaired driving in our province. For example, we have recently announced an administrative

licence suspension program that will be introduced in Ontario within the next six to 12 months. These measures send a clear message that drinking and driving in Ontario will not be tolerated.

I'd like to thank all of those involved in this year's Red Ribbon Campaign: the MADD Canada organizers, community action groups, the police, corporate sponsors, and of course all of the people who choose to fly a red ribbon.

PARLIAMENTARY PROCEDURE

The Speaker (Hon Allan K. McLean): Yesterday, the member for Windsor-Riverside (Mr Cooke) rose on a point of order about our practice respecting the referral of supplementary questions. The point of order arose out of some confusion that occurred during question period. In the first instance, the member for Riverdale (Ms Churley) asked a question of the Premier, who gave an answer. When the supplementary was asked, the Premier chose to redirect it to the Minister of Community and Social Services. Members will recall that I allowed the referral at the time and subsequently agreed to check our practice.

In doing so, I noted that on February 9, 1987, Speaker Edighoffer delivered a clear ruling on this very matter. Speaker Edighoffer indicated at that time that he had examined the past practices of this House and went on to say:

"Having done so, it appears to me very clear that redirecting a supplementary question is an accepted practice in this chamber and it seems to me to be well within the bounds of logic which guides our question period. The right to redirect belongs to the minister and not to the questioner. This has been borne out in reviewing Speaker Turner's rulings of 1981 to 1984."

I want to emphasize this last point because I believe it may be the source of yesterday's confusion. Our practice and indeed, as Speaker Edighoffer noted, "the logic which guides our question period" support the principle that the minister has the right to redirect a supplementary question; however, our practice is equally clear that the member asking the question does not have the same prerogative.

1350

STATEMENTS BY THE MINISTRY
AND RESPONSES

COLLEGE OF TEACHERS

Hon John Snobelen (Minister of Education and Training): Today I'm very pleased to announce another reform to our education system that speaks to the public's request for professional accountability and quality in our public service. This important initiative will ensure that the teaching profession will be fully accountable to the public it serves.

Our government will be introducing legislation which will enable us to proceed with the development of an Ontario College of Teachers. Teaching is a public trust. This initiative is designed for teachers, but it is also for our taxpayers and students. All partners in our system must have the knowledge that there are supports in place so that educators can continue to be as current as possible in classrooms and in leadership roles in education.

The concept of an independent, self-funding and professional college of teachers for both English- and French-language teachers was one of the fundamental recommendations of the Hall-Dennis report two decades ago and the Royal Commission on Learning earlier this year. The former government indicated its recognition of the importance of the college by setting up the Ontario College of Teachers implementation committee.

An independent college of teachers will ensure excellence in teaching and improve accountability, as well as confidence, in the public education system.

This initiative is part of our strategy to provide Ontario's students with the most professional, accountable, effective, high-quality education system in Canada. It's part of our vision that includes secondary school reform and other measures which I intend to announce shortly.

The proposed structure and mandate of the college is consistent with other professional, self-regulating bodies, such as those for nurses, doctors, lawyers and chartered accountants. The college will set out clear standards of practice and a framework of career-long professional learning for teachers. It will create and monitor standards for teachers and improve teacher education.

An Ontario College of Teachers will enable teachers to govern their own profession. It will give teachers more say in defining and controlling their professional conduct and practice.

Through the college, parents, students and taxpayers will know what standards of performance to expect from teachers and how teachers pursue their own professional development.

Accountability will also be enhanced by the requirement for public representation on the college's governing council and all committees, as well as by regular reporting to the minister and college members.

In addition, the Ontario College of Teachers will provide leadership and quality control in the development of teacher training programs to meet the changing needs of our society and the high demands of the profession.

Excellence in teaching is key to excellence in education. Today, we're taking another positive step forward towards that excellence and towards a better future for the teachers, taxpayers and students of Ontario.

Mr Richard Patten (Ottawa Centre): I'm pleased to respond to the Minister of Education and Training's announcement today on the College of Teachers implementation task force report. I'm pleased that the minister is finally responding officially to this report, since I had previously asked him about his priorities, whereupon he stated that he felt the quality of education was indeed his priority.

I too feel that we should focus on the quality of education and that the best way we can ensure that students are receiving the highest standard is to help prepare our teachers as well as possible and to provide them support with significant in-service training throughout their careers. That, to my mind, is the *raison d'être* of a college for teachers.

This college should be designated to provide the support structure teachers need and deserve. The college

should also be responsible for maintaining a universal standard of teaching in every region of the province and across every school board.

I'm aware that all three parties had supported the creation of a College of Teachers. In addition, I've been meeting with a variety of teachers' organizations and federations about the concept of an Ontario College of Teachers, and my understanding is that a number of concerns have been raised, including the cost, the need for the creation of yet another bureaucracy at this time, the composition of the membership and, in particular, the representation of the publicly appointed members to the college's governing council.

But I was pleased to see that the minister said in his statement that this will enable teachers "to govern their own profession. It will give teachers more say in defining and controlling their professional conduct and practice." This is a concern of many of the teachers' federations I have spoken to.

There should be an opportunity, therefore, for those who have concerns about how this college is to be set up to be able to make their representations to the government when legislation comes forward.

Mr Frank Miclash (Kenora): I would like to bring to the attention of the minister once again, as I did a number of months ago when we came to the implementation committee in terms of the College of Teachers, that there was no representation from the north, and I've heard that from a good number of teachers, who are very interested not only in the education of northern students but in the education of students across the province. I would like to bring that concern again to the attention of the minister.

This announcement today has a number of very catchy phrases: "excellence in teaching"—where have we heard that before?—"career-long professional learning," "improve accountability," "create and monitor standards for teachers," "improve teachers' education," and the one I like, "govern their own profession." That's a good number of catchy phrases, Mr Minister, but they too want representation when it comes to building a committee, when it comes to representation on such a committee.

But I do think the bottom line in terms of any College of Teachers, in terms of anything to regulate teaching, is the students in the classroom. Minister, I have to ask you to pay particular attention to what this is going to do for the quality of education for those people to whom it means most: the students in the classroom.

Mr James J. Bradley (St Catharines): I want to echo the words of my two colleagues who have cautioned the Minister of Education to move with a good deal of care in this regard, taking into account the representations that have been made to the ministry.

Both the member for Ottawa Centre and the member for Kenora have appropriately pointed out how best a policy can be implemented with a good deal of consultation with others. We don't want to make any mistakes in the implementation of this policy. We don't want to see the government moving forward only to have to step back from it after some time, either because of the cost of the

implementation of this policy or because of the makeup, eventually, of the college.

I think the minister would be extremely wise to listen with a good deal of care to the cautions that have been expressed by the member for Ottawa Centre and the member for Kenora. While the minister is doing that, I would also ask that he speak to the Minister of Health about an MRI for St Catharines.

Mr Bud Wildman (Algoma): I'd like to join my colleagues in responding to the statement of the Minister of Education and Training. As the minister indicated, the Hall-Dennis report over two decades ago already had recommended such a college, and the Royal Commission on Learning that was established by the previous government also recommended such a college to give teachers control over their own profession.

I'd like to commend the former minister, the member for Windsor-Riverside, for taking the initiative to establish an implementation committee to look at how the recommendations of the royal commission might be proceeded with. I'm happy now that the minister is responding to the report of the implementation committee.

What is particularly interesting and important to recognize is that the proposal of the implementation committee is that the College of Teachers should have control over the curriculum and training provided at and for faculties of education in Ontario. I think that's a very important step in terms of ensuring that teachers have control over the training of their profession.

The college also will have control over in-service training and ongoing professional development of teachers so they can keep up with new developments in pedagogy and with the technologies and needs of students and our society, and how to ensure that in the classroom and outside it students are receiving the best possible education. It will also ensure that there is proper accountability and that teachers have a significant say in the board of governors.

I'm pleased to see that the implementation committee did not recommend formal recertification every five years, and I'm happy that the minister is not responding in a way that would have emphasized that.

I would also say clearly, though, that our caucus will request that the legislation, if it passes second reading in this House, will then be referred to committee to ensure that all the affiliates of the Ontario Teachers' Federation, along with other interested parties, will be able to bring to the committee their concerns, concerns related to the cost, the composition of the governing council, the numbers of teachers involved, the geographic representation on the council, and the working of the college with regard to ongoing professional development and what that will mean for individual teachers and for education in Ontario.

With that in mind, we look forward to the debate on the legislation.

1400

Mr David S. Cooke (Windsor-Riverside): I'm very pleased to join my colleague in congratulating the

minister in bringing forward this policy statement from the government.

I think what's most important today is that, as the minister and the critics have said, we have had public consultation. The Hall-Dennis report recommended this. I believe it was also recommended in the 1970s. It was proposed by a previous Minister of Education, Bette Stephenson, although the proposal she put forward was destined for destruction because of interference with the labour representation of teachers at that time. Then we had the Royal Commission on Learning, and now we've had the implementation team that has also consulted.

So I'm not quite as concerned as perhaps the Liberals, who now seem to be expressing their concern about more consultation. I think what the public is looking for now and what parents are looking for now is that there actually be concrete steps and that there be action taken.

I want to encourage the minister to get the legislation into the House and to encourage his House leader to schedule the legislation for second reading so we can get that legislation out to committee so this actually happens and becomes law for next spring. There's a lot of misinformation being passed around about a potential college, and a lot of that misinformation will be corrected once the legislation is in the House.

I want to finish by making one point. There will continue to be lots of controversy around the makeup of the council. I think we've got lots of experience and precedents in this place, with councils, with health disciplines legislation, and it's absolutely essential that the public interest be protected on the makeup of that council. That means there has to be significant public representation, and I think the proposal from the implementation team is a proper proposal that protects the teachers—

The Speaker: Time has expired.

ORAL QUESTIONS

HEALTH CARE FUNDING

Mrs Lyn McLeod (Leader of the Opposition): My question is for the Minister of Finance. I understand that during the recent Ontario Hospital Association's annual convention, the colleague of the Minister of Finance, the Minister of Health, said publicly that he favours stable funding, which I would interpret to mean a freeze in transfer payments to our hospitals. Minister, do you agree with the Minister of Health that transfer payments to hospitals should be frozen at current levels?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): I think that question is more appropriately referred to the Minister of Health.

Hon Jim Wilson (Minister of Health): What I said to the Ontario Hospital Association is that we understand its request to government for stable funding, and I said we would try and respect that request for stable funding. We didn't say anything about the level of transfers. They wanted stable and predictable funding, which I believe is the policy that we should try and provide.

The honourable member should be aware that to prime the pump for these restructurings, millions of dollars are

needed up front in new capital in order to move forward with these restructurings. We have been talking very seriously with the hospital association and there are no illusions on their side. They fully understand that we have to find some dollars in order to reinvest that money to prime the pump and get moving on some of these restructurings, which I think all three provincial parties agree are long overdue in this province.

Mrs McLeod: It's apparent, due to the fact that the Minister of Finance was not prepared to respond to the question and referred it back to the Minister of Health, that the Minister of Health unfortunately does not have the support of his very significant colleagues in his apparent interest in stable funding for our health care system and in particular for our hospitals.

I'm further confused about this government's commitment when I hear the Minister of Health himself say that stable funding has absolutely nothing to do, in his understanding, with transfer payments to hospitals. Minister, what on earth do you mean by "stable funding" if it has nothing to do with the level of funding you will provide to our hospitals next week?

Hon Mr Wilson: I think the honourable member will want to take a read of my first response. Clearly, the hospital association asked all three parties prior to the election and during the election, and now that we're the government they're asking the government, for stable and predictable funding. Their request is that when the level of transfers is set, we let them know for as long a period of time as possible what the funding levels will be. That's what they mean by stable and predictable funding. They prefer us to tell them two and three years at a time.

That is something we are trying to do as a government, to ensure that that sector can restructure properly and with some security; that there won't be surprises, because it has been a number of years since a Finance Minister in this province has actually hit the targets he told the transfer payment partners he would hit. We don't want to be like other governments; we want to truly live up to stable and predictable funding and not miss our targets. We're trying to put this all together in a responsible way so there won't be surprises in years two and three.

Mrs McLeod: There were questions asked before the election about stable funding, and we certainly committed as a party to stable funding, as the party opposite did. We were very clear on what stable funding meant when it came to hospitals. It meant there would be a freeze in transfer payments in each of the next four years.

Subsequently, in the election campaign, the party opposite that now forms the government made a very clear, very simple, very straightforward commitment to the people of Ontario when they said there would be no cuts to health care. I think we have to establish the fact very clearly that for people who need health care services a cut next week to hospitals is a cut to the health care they need.

I am concerned because we hear the media reports that transfer payments to hospitals are indeed going to be reduced when we see the expenditure statement next week. We're concerned about the fact that the Minister of

Health, the Minister of Finance and the Premier himself have refused to sign a very simple pledge reaffirming their commitment that there would be no health care cuts.

I want this minister today to clear the air, to reassure the public that they are committed to no cuts to health care, which means, surely, no cuts to our hospital budgets. Minister, will you make that clear and simple commitment today and end the confusion?

Hon Mr Wilson: I find the honourable member's comments passing strange, because I've read through the red book, the Liberals' campaign document. Our party today is spending \$17.4 billion on health care—

Interjections.

The Speaker (Hon Allan K. McLean): Order.

Hon Mr Wilson: I've already answered the "stable and predictable funding" part. What the people of Ontario want to do and what the Ontario Hospital Association wants to do is read pages 30 and 38 of your red book, which said that you are only committing to a \$17-billion funding envelope for health care in this province. Perhaps your "stable funding" meant you were going to take \$400 million out of mental health, \$400 million out of hospitals, \$400 million out of dialysis and long-term community services.

Our commitment to health care, on a dollar-per-dollar basis, is far more significant than you committed to the people of this province.

Interjections.

The Speaker: Order. The question has been answered.

Mrs McLeod: On a point of order, Mr Speaker: If the government would like to use others' commitments as a reference point in this House, I would ask him not to misrepresent those commitments. The commitment made by our party during that election campaign was very clear that—

The Speaker: That is not a point of order.

Interjections.

The Speaker: Order. I'd appreciate a little bit of decorum in this Legislature. Thank you. The leader of the official opposition has the floor.

Mrs McLeod: In any event, I'm only asking the government about its commitments. The question was quite simple.

1410

EDUCATION FINANCING

Mrs Lyn McLeod (Leader of the Opposition): I will then make my second question to the Minister of Education and Training.

Minister, your government has rather clearly signalled, unlike the Ministry of Health, that when it brings down its economic statement next week, it intends to make very significant cuts to post-secondary education. I think it's fair to say that students across this province are increasingly concerned about what these cuts are going to mean to them and whether, as a result of your cuts to universities and colleges next week, they're going to be facing massive increases in tuition.

I think it's important that we understand what this government is proposing to do. They're talking about

slashing funds for education, for colleges and universities, in order to provide that tax cut next spring for the most well-to-do in this province and it is going to be paid for by students and by their families. It seems that this government is prepared to actually wash its hands of any responsibility for the impact of its tax cut and the cuts to colleges and universities on tuition fees for students.

The Speaker (Hon Allan K. McLean): Put your question, please.

Mrs McLeod: They are going to do that by something called deregulation or partial deregulation. So my question is a very simple one to the minister: Could you please explain to us and to students across this province what you mean by "partial deregulation" and what impact that will have on tuition fees for students?

Hon John Snobelen (Minister of Education and Training): To the Leader of the Opposition, I'd like to assure the member that this government is committed to ensuring two things: one, that we have the highest quality of post-secondary education in the province of Ontario of anyplace in the world, and secondly, that we have the opportunity for all people who qualify to go to those institutions in the future. That's why we're exploring support systems for students in the province and that's why we're working with our partners in the colleges and the universities across Ontario to make sure that those institutions are both viable and of the best possible quality.

Mrs McLeod: I didn't hear any response to a question about partial deregulation or the effect it will have on tuition for students. The question that I'm asking the minister today is about who pays. It's quite a simple question and I'm going to ask it as simply and in as straightforward a manner as I can.

There is another document besides the campaign document of the party that now forms the government and that's a document that was published in October 1992, a document called *New Directions, Volume Two: A Blueprint for Learning*. In that document, it says very clearly that tuition fees should pay for approximately 25% of the cost of a college or university education.

I ask you, Minister, is that the benchmark that you currently are using? Is it still your party's position that 25% is a reasonable share for students to pay for the cost of their education? Could you also tell me, if that is your benchmark, if you do go ahead with deregulation or partial deregulation and leave the decision about tuition up to colleges and universities, how you intend to ensure that students' tuitions aren't going to go up much higher and they'll be paying much more than that 25% benchmark?

Hon Mr Snobelen: Let me assure the Leader of the Opposition that this party is very committed to ensuring that the support systems for students in this province allow for those who are qualified to go to a college or university and that those university or college programs are of the highest quality possible. Of course we'll work with those institutions on the proper regulatory system for tuitions across the province that meets the needs of the institutions, the needs of the students and the broader needs of the taxpayers and people of Ontario.

I should say that that'll be consistent with, if I remember correctly, page 46 of the red book, wherein the leader's party said, and I quote—

Interjections.

Hon Mr Snobelen: If I can quote from this document, it says, "Students should pay a fair and appropriate share of the costs of their post-secondary education." We certainly concur with that.

Mrs McLeod: There is nothing I would like better than to be able to fulfil my commitments to the people of this province, but unfortunately it's the government's commitments that are at issue today, and the government's commitment to that "fair and reasonable share" that the minister has just suggested we all believe in.

The government's commitment supposedly was that a fair and reasonable share for students was 25% of the cost of a college or university education. That's the bottom line. The bottom line is, who pays, how much and who's responsible for deciding who should pay? The bottom line for students and their families, Minister, is whether or not a university or college education is going to be within their financial reach in the province of Ontario. The bottom line is that if you make drastic cuts to colleges and universities' funding and you deregulate and let the universities and colleges decide whether or not they're going to cover the cost of those cuts with tuition increases, students are going to pay the price of your cuts; students and their families are going to pay for the tax cut that you want to give to the most well-to-do people in this province. That's the bottom line.

You said 25% was a fair and reasonable share—at least, in 1992 you said it was. Stats Canada says that students in Ontario now are paying 26.2% of the cost of their college and university education. That's more than what you once considered to be a fair and reasonable share of 25%. So if students are already paying more than what you consider to be a fair and reasonable share, how can you justify making students and their families pay for your income tax cut?

Hon Mr Snobelen: I believe I've taken a fair try at answering that question. I believe it's important that we work as a government with the institutions that are directly affected in the province: the colleges and the universities. The people across this province know that a substantial amount of post-secondary education costs are borne by taxpayers. That's certainly been a long tradition in Ontario, and the question is, what ratio should it be?

I also want to point out to the member opposite that this government has the responsibility for preparing young people for the future. It also has the responsibility for preparing that future for our young people, of directing investment to this province, of creating the vitality in our economy that's necessary so that those students, when they get out of college or university, have a job and a career and a place to build a family, and that's part of our responsibility as a government.

CLOSURE OF COLLEGES AND UNIVERSITIES
FERMETURE DE COLLÈGES ET UNIVERSITÉS

Mr Bob Rae (York South): We all know for a fact that the Minister of Education and Training is the only

Conservative minister who's in favour of stable funding. But that's because he's in the business of training horses.

My question is to the minister responsible for francophone affairs. I was somewhat surprised yesterday when I read my weekly copy of *L'Express*, the weekly newspaper in the French community in Toronto, which features an exclusive interview with the minister responsible for francophone affairs.

At the end of the interview he is quoted as saying, and it's a direct quotation—I'll read it in French and then translate it: «Il y même des collèges et des universités qui devront fermer. Mais la fermeture d'universités ne nous (les francophones) touchera pas, on n'en a pas !»

The translation of that would be, and it's directly in quotation marks; it's not attributed or anything: "There are even colleges and universities which will have to close, but the shutdown of universities will not touch the francophone community because we don't have any universities."

Now, I'd like to ask the minister of francophone affairs—it's a rather extraordinary quotation—can he tell us why he would have made such a statement?

Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs): I will refer this to the honourable Minister of Education as it does not touch my ministry.

Interjections.

The Speaker (Hon Allan K. McLean): Order. The question has been referred.

1420

Interjections.

The Speaker: Order. I don't know whether you're interested in hearing the answer or not, but if you are, I wish you would listen. Minister.

Hon John Snobelen (Minister of Education and Training): I must say that although there were lots of groans in this House I enjoyed that ray of humour. But enough of the horsing around.

I want to assure the honourable member that this government has absolutely no plans at this point in time to close any universities. Certainly that would be a responsibility of the universities, not this government.

Mr Rae: To sacrifice your colleagues for your own life is truly noble indeed.

I wonder if I might ask the minister—this is one of his colleagues, the minister responsible for francophone affairs. I'm not making up this quotation; it's contained directly in an interview. I presume the person who made the interview has the tape of what the minister said, and your cabinet colleague says very directly, "There are even colleges and universities which will have to close." That's directly what he said.

Why would a minister of the crown, who's participated in a series of cabinet discussions—

Mr David S. Cooke (Windsor-Riverside): He's been around here for a few years.

Mr Rae: —who's been around and is a person of great experience, why would he have made such a comment if it were not true?

Hon Mr Snobelen: In response to the question from the member, again I have no knowledge of any colleges or universities that intend to close in the province of Ontario. Of course those are autonomous organizations, but I have received no information that they would have.

Mr Rae: Mr Speaker, we're in a somewhat difficult situation, in that the minister who made the comment has refused to answer the question. But I can assure him there will come other opportunities for him to answer, and I suggest he enjoy the next 40 minutes of peace in this chamber.

But what I would ask his colleague is, can you therefore provide no explanation as to why one of your colleagues would have made such a comment?

Hon Mr Snobelen: In answer to the honourable member's question, having recently been new to this chamber I have only recently had the experience of reading some of my own comments in the media and I'm not sure that I've been able to explain those quite well. So I will not answer as to whether those comments are accurately reflected or in fact what speculation might have been going on.

JOB CREATION

Mr Bob Rae (York South): My question is to the Minister of Economic Development, Trade and Tourism, who made a statement the other day in the House where he said that government had no role in the creation of jobs. The University of Toronto has a computer-simulated model of the economy called the Focus model, which I'm sure the minister is familiar with. Every \$1 million worth of tax cuts creates about 14 jobs, while about \$1 million in capital spending by the government creates about 21 jobs. Those numbers are backed up by independent analysts, by bank computers and others that I'm sure your ministry is familiar with since all people in the government use them.

In light of that, I'd like to ask the minister why he would make such a statement as to suggest that the government, in its capital investment, in its research investment, in its support for the social and economic capital of the province does not in fact have a constructive role in creating jobs, and why he's placing all his emphasis on tax cuts?

Hon William Saunderson (Minister of Economic Development, Trade and Tourism): I'm very happy to respond to the leader of the third party. I happen to believe, and my party believes, that government does not create jobs; the private sector creates the jobs. I would just like to read a quotation from the leader of the third party who said, back on September 24—now that he is making quotes up for me, I'll just quote on him.

Interjections.

Hon Mr Saunderson: Well, that's fair. The quotation is this: "I know that there are some difficult things to be done, so there's no point in my going into the House and pretending there aren't difficult things to be done." Well, Mr Speaker, let me tell you, there are—

Interjections.

The Speaker (Hon Allan K. McLean): Order. Would the minister wind up his answer, please.

Hon Mr Saunderson: It's taking quite a long time to get this answer done. What we want to do is create the climate for good jobs. But I might say that I don't believe that handouts to businesses make much sense. I'd like to name just a few of the wonderful handouts that were given by the previous government. Can you believe they gave \$1 million to Mövenpick Restaurants of Switzerland? To Kaufman Footwear, \$1.5 million? But now we have more unemployment than we've had in the last five years. I'm happy to say it's changing.

Mr Rae: I'm wounded but I'll rise again. What I might ask the minister to do is to try to answer the question, and that is this: I put to him a very simple proposition, and that is that the overwhelming evidence of economic analysts is that capital investment by government does in fact create jobs; just ask the construction workers who used to work on the subway and who are laid off. They know that it creates jobs. The question—

Interjections.

The Speaker: Order.

Mr Rae: It's very hard in this very turbulent atmosphere to be heard. But I wonder, if I might just say to the minister, the evidence is that an income tax cut in and of itself creates fewer jobs than the jobs that you are losing by all the cuts you're bringing in. That's the overwhelming evidence of what's taking place. That's the evidence; that's the view of the professional economists out there.

I'm simply asking the minister, why is he putting so much faith in the income tax cuts when the overall effect of all the other cuts that they're making is going to displace jobs rather than create jobs?

Hon Mr Saunderson: We're not only putting faith in the income tax cuts, but we're putting faith in a lot of other things, such as a reduction of the Workers' Compensation Board premium. I'd like to add as well that the Canadian Labour Congress's senior economist—

Interjections.

The Speaker: Order. Would the House come to order, please. I can hear my phone ringing already.

1430

Hon Mr Saunderson: I can well imagine why the noise is coming from the other side of the House, because our message is so good.

I would just like to quote from the Canadian Labour Congress senior economist Kevin Hayes, who says in the *Globe and Mail* on October 18 that the declining purchasing power is undermining the ability of consumers to help spend the economy out of its lethargy. There's this theory floating around that you can somehow have an economic recovery without improving the incomes of workers, he said, but it's impossible. That's why the tax cut.

Mr Rae: There are tax cuts and there are tax cuts. Ordinary people making less than \$40,000 will be getting a very minimal tax cut on a net basis, and those making more than \$40,000 will be getting the lion's share. So Mr Jackson is not going to be of any help to you.

You've cancelled JumpStart; that's 10,000 jobs. You've cancelled the subway; that's 2,300 new jobs. You've cancelled all those projects which you announced

two weeks ago. I'd like to ask you, now that you've had two weeks since you made your announcement with respect to the cancellation of all the projects that were cancelled two weeks ago, can you now tell us how many jobs this will cost the province of Ontario?

Hon Mr Saunderson: I'd just like to tell the leader of the third party that in September and October, 27,000 new jobs had been created. I think that speaks for itself.

JUNIOR KINDERGARTEN

Mr Richard Patten (Ottawa Centre): My question is for the Minister of Education and Training. Earlier today the Federation of Women Teachers' Associations of Ontario and the Ontario English Catholic Teachers' Association held a joint news conference to voice their concerns over the Conservative government's throne speech commitment to revert junior kindergarten to an optional basis. This announcement has caused considerable worry and considerable anguish among many educators and the parents of over 100,000 children who attended JK, junior kindergarten, last year.

Can the minister outline for the members of the Legislature here today what savings his government intends to save as a result of reverting junior kindergarten to an optional basis, and how does he intend to redirect those savings to improve early childhood learning?

Hon John Snobelen (Minister of Education and Training): As I'm sure the honourable member opposite knows, in the Common Sense Revolution this government made a very, very clear promise to the people of Ontario. In regard to junior kindergarten, that promise is explicit. We said that we would make junior kindergarten optional for school boards across the province and we said we would review the application of junior kindergarten to come up with the best options for Ontario.

Mr Patten: If the minister thinks that he can cut a bit at the top end and a bit at the bottom end in order to find savings without impacting on the quality of education, I think he's mistaken. The minister continues to talk about value for dollar and affordability. The only issue of affordability is whether Ontario can afford the types of drastic cuts to education that it appears this government is planning.

As the minister knows, early childhood learning gives children a head start and improves the rate of success throughout their education, and indeed into the workplace. Students stay in school longer, have improved reading, math and language skills and a greater chance for further employment, but most significant is the positive impact it has on disadvantaged children.

There is no question that improvements can be and should be made in Ontario's education system. However, my question is, when will the minister start treating educational reforms as educational reforms and not as economic reforms?

Hon Mr Snobelen: I believe that by inference the honourable member opposite is suggesting that the boards of education, that the members of the boards of education across the province of Ontario, that the directors of education, that educators across the province and parents, local area parents and local taxpayers, are not able to

make choices around junior kindergarten themselves, that they need Queen's Park to dictate this policy to them.

I believe that the boards of education understand the needs of the young people in those communities, and this government trusts them to make the right decisions. That's why we're making it a local option.

SOCIAL ASSISTANCE FOR DISABLED CHILDREN

Mr David S. Cooke (Windsor-Riverside): I have a question for the Minister of Community and Social Services.

Interjection.

The Speaker (Hon Allan K. McLean): Order. The member for Oriole is out of order.

Mr Cooke: Minister, when social assistance benefits were cut by your government, there was no provision to protect families with disabled children. If a family is in receipt of social assistance and there is a disabled adult, the benefits are not cut. If, however, the family has a disabled child, the benefits are cut 22%, despite your government's election commitment that the disabled would not be affected.

When this question has been asked in the House before, you've talked about such programs as the handicapped children's benefits and special services at home, but the minister knows that those programs are specific for the needs of those children and their physical disabilities that they need that support for. There is a difference in your approach. If you're a disabled adult, your social assistance rates aren't cut. If you're in a family and you're a disabled child, the rates are cut. Can the minister explain why there's this discrepancy and why he has broken their election promise?

Hon David H. Tsubouchi (Minister of Community and Social Services): It's very clear that there's a real lack of understanding of what got us into this problem in the first place, and unfortunately people don't want to recognize the dirty laundry that's delivered back to their own doorsteps here.

I will deal with this question in a second, but I want to start with this: It's pretty evident right now from the third party itself that they believe that the welfare system wasn't working at the time they were in government and they had huge problems to begin with. My predecessor, Mr Silipo, has indicated that the welfare system in Ontario simply doesn't work any more. It's an expensive, inefficient system that hasn't kept pace with the changing needs of the people of Ontario.

I'm not denying that there are some difficulties out there right now, but on the other hand, we only have an opportunity right now, as a government, as a province, to save this province from this huge problem we have.

I thank the member for certainly mentioning a couple of programs that really are of benefit to disabled children: special services at home and handicapped benefits as well.

Mr Cooke: The minister can get up now that he's constantly getting his coaching from a \$1,200-a-day consultant. The fact is, it's not just the members of the opposition parties who have this concern for disabled

children. You have letters, and I've got two of them from your own caucus members.

The last one that we've got is a copy of a letter that was sent on October 24 from Lillian Ross, Hamilton West. In that letter she wrote, "I would like your officials to examine the issues raised in Wendy's letter and ensure that we are living up to our election commitment and not cutting assistance to the disabled and their families." Obviously, your own caucus understands that you're breaking an election commitment.

Mrs Johns, also a member of your caucus, wrote a letter that states, "The cuts in family benefits and general welfare are not supposed to affect the disabled or the elderly, but they are going to affect disabled children," and refers to a case in her constituency.

I'll send these two letters over to the minister, but I'd like to ask the minister, instead of standing up and giving these smart-aleck answers, what is he prepared to do for the disabled children whom he's cut and who are suffering as a result of his actions?

Hon Mr Tsubouchi: These are not what the member opposite would categorize as smart-aleck answers. Unfortunately, the member opposite is failing to recognize the fact that they've caused a huge problem—your government particularly. You cannot deny the problems we've been left with.

Interjection.

The Speaker: Order. The member for Oriole is out of order again.

Hon Mr Tsubouchi: I can only say one thing to you: On welfare over the last 10 years, \$40 billion. If you guys hadn't been wasting the money in the province, we'd have money to deal with all kinds of problems that we have and—

The Speaker: The question has been answered.

1440

OCCUPATIONAL HEALTH AND SAFETY

Mr Douglas B. Ford (Etobicoke-Humber): My question is for the Minister of Labour. Recently, concerns have been expressed that the government is planning to move the responsibility for the enforcement of the Occupational Health and Safety Act to the Workers' Compensation Board. From the Ministry of Labour, can you clarify today what is the intention of the government with respect to the enforcement of occupational health and safety?

Hon Elizabeth Witmer (Minister of Labour): I'd like to assure the member and anyone else in the House, or anyone else in the province, who has concerns about the enforcement of the Occupational Health and Safety Act that this responsibility will remain with the Ministry of Labour. The only shift will be the responsibility for the prevention of workplace accidents, and that will shift to the Workers' Compensation Board.

Mr Ford: Currently, a review is being conducted of the system of health and safety in this province. How can we assure workers that health and safety is of great concern to this government and is, as you have stated on numerous occasions, your number one priority?

Hon Mrs Witmer: I would just like to give my personal assurance and the assurance of our government: We are extremely concerned, and certainly health and safety is a number one priority for our government. It's as a result of this that we set up the review of workplace health and safety. We hope that, when the report is presented on December 20, we will have recommendations that will provide us with the safest workplaces in the province. We are also moving forward in order to ensure that we continue to raise public awareness.

I am presently involved with members of the community in the introduction of programs which can ensure that we continue to raise public awareness and educate the public about the need to prevent accidents, injuries and illnesses in the workplace.

CORRECTIONAL FACILITY EMPLOYEES

Mr David Ramsay (Timiskaming): Today I have a question to the Solicitor General. It concerns the right of government workers to freely organize and to work politically, and also my privilege as a member of this Legislature.

Minister, I have a memo from your ministry and it comes from Neil McKerrell, the assistant deputy minister of the correctional services division. It's addressed to all superintendents of jails and the area managers throughout the province. It's regarding job actions and information pickets.

It says to these people, "In the event of any job action and information picket from divisional employees which appears to stem from the government's or ministry's constraint proposals and initiatives, the attached job action information picket form should be completed immediately and sent up to head office."

I can understand why you might want to know what's happening in the workplace, but the memo goes on, "A report should be submitted even if an action in or adjacent to the workplace or to a local MPP's office is only suspected of being related to the constraint proposals of this government."

I'd like to ask the minister straightforwardly, why is it necessary for ministry officials to be spying on government workers and reporting their political activity to head office?

Hon Bob Runciman (Solicitor General and Minister of Correctional Services): I'll take the question as notice and get back to the member at an early date.

Mr Ramsay: I think the answer to this might come further down in the memo, because it says here, "This report and follow-up reports, as circumstances change, will enable the ministry to monitor any job actions and information pickets and to convey this information to the minister."

As a member—and especially I have a jail that's under threat. Many of those workers come to my office and meet with me and have other information pickets in my area. I think that's an impingement upon my right to freely associate with my constituents and government workers' rights to speak up for how they see it. Minister, why are you condoning this action?

Hon Mr Runciman: I don't know how the member can conclude that I am condoning it. It wasn't signed by me. I'm not aware of the memo. I've indicated I will pursue it and get back to him at an early date.

TIMMINS AND DISTRICT HOSPITAL

Mr Gilles Bisson (Cochrane South): I have a question to the Minister of Health. I know he's around. He just went around the corner. Is he available for the question? There he is. Now that we've got the minister back in his seat, I will endeavour to do the question.

Minister, you would know that in the community of Timmins a recent decision has been made by the Timmins and District Hospital to close down the South Porcupine Continuing Care centre. The board and past boards in the city of Timmins, through this hospital, have done an extreme amount of work in order to make sure that they make this hospital, the Timmins and District Hospital, the most efficient hospital possible.

In fact, speaking to board officials and speaking to the district health councils and your own ministry officials, they are recognizing that the Timmins and District Hospital is one of the most well-run hospitals in our hospital system in the province of Ontario, and I think that attests to the hard work of the people of the hospital and the community, and the former government as well, who worked with them in order to attain that level. We've done all of this, this hospital has done all of this at the same time as being able to maintain a high degree of confidence on the part of the citizens of Timmins in that hospital.

My question to the minister is simply this: Given that the hospital has no other choice, given your government's position to increase the Timmins and District Hospital, will you commit to the people of Timmins and our hospital that you will at the very least protect the present budget of the Timmins and District Hospital and not reduce it in any way, in order not to jeopardize the services that the hospital provides not only to Timmins but to the people of the district of Cochrane?

Hon Jim Wilson (Minister of Health): On behalf of the ministry and the government, we appreciate the efforts that your constituents are making to try and find efficiencies and maintain quality care.

Not to avoid your question in any way, but I guess I'm a little unclear as to what exactly you're asking. The ministry, as you know, back into your government's day, has been working very closely with the people you represent, your local people. I understand the level of cooperation has been exceptional.

I was reading through the clippings the other day and I saw comments like "Closing Centre Makes Sense," "East End Hospital Might Be Closed," but then it goes on and talks about this being a local decision and says that most people in your area seem to understand very well that it's not bricks and mortar that provide the treatments and services, that it's very much the people and the services that count and the outcomes we get with respect to better population health.

So in your supplementary perhaps you could give me greater guidance as to what you require.

Mr Bisson: This particular hospital has done everything in their power to make sure that they're as efficient as possible. In fact, they balanced their budget last year, they're going to be doing so again this year and they're doing that by making the decisions. They have no other choice to make because they know your government is not prepared to increase the budget of the hospital, so they're closing down the South Porcupine Continuing Care centre and moving that facility and the beds into the new Timmins and District Hospital.

What I want to get assurance on from you is simply this: Our hospital and our community, with a lot of difficulty, have made this decision. There are people in my community still to this day, as well as myself, who are having an extremely difficult time accepting that we have to close down the facility in South Porcupine. Nobody wants to do this.

We want an assurance in our community that you as the Minister of Health will commit to what you've said in the Common Sense Revolution and not push the budget of the Timmins and District Hospital downwards, so that in the future they're going to be able to provide the services. If you cut that budget they're not going to, so will you commit to freezing at least the Timmins and District Hospital budget to what it is today and not reducing it in future budgets?

Hon Mr Wilson: It's my understanding that your local community and the hospital, which is eight kilometres away, I believe, agreed that since they had a vacant third floor and they were providing most of the acute care services at the hospital, it only made sense to move the chronic care beds and the dialysis services that are currently at the South Porcupine site on to one site.

Mr Bisson: That's not the question.

Hon Mr Wilson: It is the question, because you're implying that your people are doing this because it's somehow a money thing. Your people agreed to this through the district health council and they're to be highly commended for it because they realized that having a vacant third floor was serving no one very well, and consolidating the services gave better services to your constituents.

With respect to the money aspect, we'll certainly take your comments under consideration, and your hospital will be fully credited for the cost savings it's found to date. We should be celebrating this local agreement that wasn't driven by politicians here at Queen's Park but a realization by your local people that they can deliver services in a more efficient way and in a way that—

The Speaker (Hon Allan K. McLean): The question has been answered.

1450

YOUNG OFFENDERS

Mr Joseph N. Tascona (Simcoe Centre): My question is for the Minister of Correctional Services. Yesterday, you announced the appointment of a task force of community leaders and MPPs to develop a strict discipline program for Ontario young offenders. Could you tell the House whether the public will have an opportunity to provide input to the process?

Hon Bob Runciman (Solicitor General and Minister of Correctional Services): Yes, there will be opportunities for the public and members of the Legislature to have input into the task force deliberations. Since the election of the government, I've certainly received a great deal of mail about this issue, as I know other members have. A number of members of the assembly have indicated an interest, because of their backgrounds, with respect to this issue as well.

The co-chairs, who are members of the assembly, will be developing a framework to provide opportunities for consultation both from within the assembly and from the public, and they will be announcing that framework, I would hope, within the next few weeks.

Mr Tascona: Yesterday, the honourable member for Timiskaming talked about studies that have been done which do not portray boot camps in a favourable light. Will the task force be looking at these studies when assessing the strict discipline concept?

Hon Mr Runciman: Yes, we will. Certainly it's our intention to develop a program or programs that are specifically tailored to meet the needs of this province. A number of the studies mentioned yesterday have negative things to say about strict discipline, and we're going to be taking a careful look at those as well as the positive experiences that some jurisdictions have experienced. We want to make sure we don't fall into those traps in terms of shortcomings, but at the same time that we adopt the positive results that have occurred in a number of areas.

What we're hoping to achieve, obviously, is a positive impact on young offenders so they in turn can make a positive contribution to society. The majority of Ontario taxpayers are counting on this government to do just that.

SATELLITE GAMING

Mr Bruce Crozier (Essex South): My question is to the Minister of Consumer and Commercial Relations. It's my understanding, according to some September 21, 1995, minutes I have here that a proposal has been made by the Charitable Gaming Advisory Committee of the Gaming Control Commission to conduct what is called a provincial bingo. Apparently this is a satellite bingo game with a prize range between \$25,000 and \$45,000, and as the minister knows, it will be run by commercial bingo establishments. Could the minister tell me and tell the House what effect this will have on charitable bingos?

Hon Norman W. Sterling (Minister of Consumer and Commercial Relations): I'm aware that this application has been made to the gaming commission and that it's considering this matter. There is no doubt that this kind of province-wide network bingo would affect charitable bingos to a very great degree. That is one concern I have, and I'm sure the gaming commission will take it into consideration in terms of whether or not it gives this particular kind of gaming the green light.

Mr Crozier: The minister will know that it's been quoted by the promoters of this scheme that it will likely kill any small charitable bingo, within range of a commercial establishment. The Charity Watch Bulletin, a paper put out by concerned small service clubs, churches and non-profit organizations, is concerned about it as

well. The minister will know this is scheduled to start on January 1, according to these minutes.

I ask the minister if you will commit to us now that this will not start, in fact will never start, if it affects charitable bingos.

The Speaker (Hon Allan K. McLean): The question has been asked.

Mr Crozier: The government wants these service organizations to help with social assistance, and you just can't pull the rug out from under them. So will you stop this—

The Speaker: Minister.

Hon Mr Sterling: The member well knows that the gaming commission is charged with making these kinds of decisions, as to the kind of gaming that should be undertaken or allowed in the province of Ontario. I will convey the member's concern to the gaming commission and will report to him any response I get from them.

I do want to add, however, that I share his concern with regard to the continuing competition which charities are facing as the other part of the gaming pie enlarges. It is certainly my intent and our government's intent to assist charities in maintaining this source of revenue as we understand that it is very important for local concerns and local causes.

JUNIOR KINDERGARTEN

Mr Bud Wildman (Algoma): I have a question for the Minister of Education and Training flowing from the press conference by the Ontario English Catholic Teachers' Association and the Federation of Women Teachers' Associations of Ontario at St Luigi school this morning, at which press conference the representatives of the federations and boards who were there indicated that for every dollar spent now on early childhood education, society saves approximately \$7 in the future because of the improved socialization, language skills, number skills, which lead to a better academic performance and to fewer dropouts, fewer unwanted pregnancies, greater self-esteem and fewer instances of delinquency and better access to good jobs.

If that is the case, does the minister agree with those assertions, and if he does, could he explain why his government is not making the continuation of junior kindergarten across Ontario a higher priority?

Hon John Snobelen (Minister of Education and Training): To the honourable member opposite, as I've said before this afternoon in the House, this government made a very clear commitment to the people of Ontario during the last election and in the Common Sense Revolution that we would do two things relating to junior kindergarten. One of those things is that we would make it optional across the province, and we've said that from the speech from the throne earlier this year. Secondly, we've said that junior kindergarten, as a program, needs to have a serious review to see, what are the options to meet those needs across the province? We are engaged in that review now.

Mr Wildman: Isn't it a bit phoney for the government to say that it intends to have it optional for boards across the province but at the same time to be contem-

plating major cuts in funding for that program for the boards? If the minister really believes it should be a local decision, can he now give a commitment that the provincial government will continue the current level of funding and that there will not be any provincial funding cuts for junior kindergarten programs across Ontario?

Hon Mr Snobelen: It's interesting. Today we've heard comments about "stable" and "horse" and now "pony." I don't know what—

Mr Wildman: Phoney.

Hon Mr Snobelen: Oh, phoney. Oh, I see. I thought you said "pony."

I can assure the member opposite that we will keep our promises to the people of Ontario. This government will do with junior kindergarten exactly what it said it would do: It'll make it optional next year and it will give it a serious review to see what are the options that the children of Ontario need.

The Speaker (Hon Allan K. McLean): New question, the member for Lambton.

Interjections.

The Speaker: Order. The member for Grey-Owen Sound is out of order. The member for Lambton.

1500

WORKERS' COMPENSATION BOARD

Mr Marcel Beaubien (Lambton): My question is for the minister responsible for workers' compensation reform. Farming operations in my constituency, like other small businesses in Ontario, are concerned about the financial situation at the WCB. More importantly, they are concerned about the impact the unfunded liability will have on their assessment rates. In 1993-94, the agricultural community paid approximately \$38 million into the workers' compensation system, while claims were approximately \$6 million. The agricultural sector is putting a significant amount of money into the system.

During the debate on Bill 15, the Liberal Party in this House condemned the fact that the rates were frozen. Yet in this red book, which has got a little dust on it, on page 11 it states that a Liberal government would freeze the WCB rates. Could the minister indicate to the House just how this rate freeze has assisted in maintaining the competitive edge for our agricultural community?

Hon Cameron Jackson (Minister without Portfolio [Workers' Compensation Board]): I appreciate the question from the member for Lambton. He does raise some very interesting points on behalf of the agricultural community in this province. I must admit I too was rather confused listening to the debate on Bill 15, the fact that the Liberals now don't even support their position of a rate freeze.

We took the position of a rate freeze in this province because of listening to groups like the Ontario Federation of Agriculture, groups that have indicated that they are sitting poised to receive, on average, a 15% rate increase for workers' compensation costs.

I want to remind members of all political parties in every corner of this chamber—my colleague over there from Essex South has raised concerns on behalf of tobacco farmers in his riding; my colleague from Norfolk,

the same. These are very, very expensive workers' compensation rates.

Finally, the Ontario Federation of Agriculture has a government that's prepared to consult with it and look at what the contemporary challenges for agriculture are in this province and how that'll be reflected by a more sensitive approach to workers' compensation reform.

Mr Beaubien: Farmers in my constituency and indeed farm workers want to ensure that they are able to contain their costs. Unlike other sectors of the economy, they are unable to pass along their costs to consumers, or it is somewhat difficult at times. Can the minister indicate whether he will take the matter under consideration as he begins to develop his reform proposals?

Hon Mr Jackson: The fact is that when I was first given this assignment, my colleague the Minister of Agriculture, Food and Rural Affairs, the Honourable Noble Villeneuve, approached me to make sure we had a very clear idea of the kinds of concerns being expressed by the farm community and farm workers in the province.

I'm pleased to report not only this government's decision to freeze rates in response to their concerns but also to look very carefully at the current success of the Farm Safety Association's ongoing work to improve farm safety for workers in this province. I'm very pleased that that kind of input is having an impact on our reforms and I look forward to sharing that with this House after the consultations are completed.

NOTICE OF DISSATISFACTION

Mr Gilles Bisson (Cochrane South): On a point of order, Mr Speaker: I'd like to file a motion of dissatisfaction with the answer from the minister.

The Speaker (Hon Allan K. McLean): Fill out the necessary form and we'll accept it.

PETITIONS

QUEEN STREET MENTAL HEALTH CENTRE

Mr Tony Ruprecht (Parkdale): I have a petition here, and I keep getting petitions against the proposed jail at the Queen Street Mental Health Centre.

"Whereas the PC government is going to open a 20-bed forensic facility for the criminally insane at the Queen Street Mental Health Centre; and

"Whereas the nearby community is already home to the highest number of ex-psychiatric patients and social service providers in hundreds of licensed and unlicensed rooming-houses, group homes and crisis care facilities in all of Canada; and

"Whereas there are existing facilities that could be expanded to assess and treat the criminally insane; and

"Whereas no one was consulted—not the local residents, not the business community, not the leaders of community organizations, not education providers, not child care providers and not even the local member of provincial Parliament;

"Therefore, we, the undersigned residents and business owners of our community, urge the PC government to stop all plans to accommodate the criminally insane in an expanded Queen Street Mental Health Centre until a public consultation process is completed."

I have attached my name to this petition.

MINISTER'S COMMENTS

Ms Marilyn Churley (Riverdale): "Whereas six women present at a meeting held by the minister responsible for women's issues, Dianne Cunningham, at her constituency office on October 25, 1995, agree that they heard the minister state, 'Within the context of this government, you need to understand that groups or agencies that are seen not to be working with this government, providing an oppositional voice...will be audited and their funding eliminated'; and

"Whereas the minister responsible for women's issues denies having made this statement;

"We, the undersigned, request that the government establish a legislative committee to determine whether the minister responsible for women's issues abused her authority as a minister of the crown by making threatening and intimidating remarks at the meeting described above."

I will affix my signature to this petition.

HOSPITAL RESTRUCTURING

Mr Mike Colle (Oakwood): I've got a petition in regard to Northwestern General Hospital, one of the finest hospitals in this country.

"To the Legislative Assembly of Ontario:

"Whereas the Metropolitan Toronto District Health Council hospital restructuring committee has wrongly recommended to close Northwestern General Hospital and asked it to merge all programs and services with Humber Memorial Hospital on Humber's site;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the recommendation of the Metropolitan Toronto District Health Council to close Northwestern General Hospital be rejected outright by the government of Ontario and that it keep Northwestern General Hospital open forever."

CHILD CARE

Mr Rosario Marchese (Fort York): I have a petition signed by 300 or 400 people that reads as follows:

"We, the undersigned, are firmly opposed to the erosion of the child care system. We are most particularly concerned about the unregulated child care sector, which represents the choice of most Ontario families, many living in rural areas. We urge this government to make its budget reduction in areas where children and families will not once again be the target of cuts. Family resource programs support the informal sector of child care, which includes parents caring for their own children and care provided by grandparents, home child care providers and nannies."

I attach my name to that petition.

SUPPORT FOR POLICE OFFICER

Mr John C. Cleary (Cornwall): I have a petition signed by 9,469 constituents of eastern Ontario who support Cornwall Police Constable Perry Dunlop's action when he reported information on a child abuse case to the children's aid society. The petition reads as follows:

"To the Legislature of Ontario:

"We, the undersigned, petition the Legislature of Ontario as follows:

"We fully support Constable Perry Dunlop in his decision to protect children first. Further, that no action or penalty be brought against him."

The petition is signed by all citizens and children in Cornwall. I also have affixed my signature to the petition.

HOSPITAL RESTRUCTURING

Mr Monte Kwinter (Wilson Heights): I have a petition to the Legislative Assembly of Ontario.

"Whereas the report of the Metropolitan Toronto District Health Council hospital restructuring committee has recommended that North York Branson Hospital merge with York-Finch General Hospital;

"Whereas this recommendation will remove emergency and inpatient services currently provided by North York Branson Hospital, which will seriously jeopardize medical care and the quality of health for the growing population which the hospital serves, many being elderly people who in numerous cases require treatment for life-threatening medical conditions;

"We petition the Legislative Assembly of Ontario to reject the recommendation contained within the report of the Metropolitan Toronto District Health Council hospital restructuring committee as it pertains to North York Branson Hospital so that it retains, at minimum, emergency and inpatient services."

I have affixed my signature.

CHILD CARE

Mr Bernard Grandmaître (Ottawa East): I have a petition from several constituents, who are expressing their concerns about the directions the present government is taking in regard to child care; also the potential for the government to replace the present subsidy system with a voucher system. "A voucher system," they say, "as proposed by the Conservative government would take the subsidies away from our working parents and give vouchers to single workfare/learnfare parents only. This would destroy the present child care system."

This petition has been signed by 28 parents of my riding.

1510

FISCAL RESPONSIBILITY

Mr Ed Doyle (Wentworth East): I have a petition to present to the Legislature of the province of Ontario.

"We, the undersigned, request that the Legislature of Ontario not approve any tax cuts until the causes of poverty and unemployment in Ontario are dealt with effectively and until the province's debt and deficit are paid down."

COLLEGE OF TEACHERS

Mr Dominic Agostino (Hamilton East): I have a petition signed by teachers at Holy Cross School in Halton Hills; St Vincent's in Oakville; St Joseph's in Acton; Holy Rosary, Milton; St Luke in Oakville. The petition is as follows:

"Dear members of provincial Parliament:

"We, the undersigned, are writing to you as constituents in your riding to inform you that we are opposed to

the proposed College of Teachers which your government is intending to legislate. As some of the 130,000 members of the Ontario Teachers' Federation we feel that the College of Teachers is the creation of another level of bureaucracy, the last thing the teachers of the province need from the government.

"The government could be spending its time more productively on the real issues of education such as providing funding for junior kindergarten, a thorough investigation of the amalgamation of school boards and better vocational and technical programs for secondary school students.

"The proposed College of Teachers does not provide for a fair representation of teachers on its governing council. The proposed college of teachers does not provide for a fair representation of francophone teachers on its governing council.

"The teachers of Ontario have never asked for a College of Teachers. The Ontario Teachers' Federation, with certain enhancements, could fulfil the powers of the proposed College of Teachers.

"The proposed College of Teachers would impose an annual fee on teachers as well as certain user fees. Most teachers already follow professional development programs and do not need additional bureaucracy to mandate such a program.

"We urge you to oppose the proposed College of Teachers and make sure that all members of the Legislature are aware of our position."

CHILD CARE

Mr Michael Gravelle (Port Arthur): I have a petition signed by a number of concerned parents and child care providers in Thunder Bay, and the petition reads:

"Whereas the Ministry of Community and Social Services is apparently intent on replacing child care subsidies with a voucher system; and

"Whereas this voucher system will discriminate against families presently utilizing subsidies and child care centres across the province;

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow these cuts to this critical economic investment in our communities across the province and to guarantee the current child care subsidy system remains funded and supported."

I'm proud to sign my signature to that.

HIGHWAY SAFETY

Mr Frank Miclash (Kenora): I have a petition to the Legislative Assembly of Ontario, and it reads:

"Whereas the Ministry of Transportation is intent on reducing northern winter road maintenance services; and

"Whereas such downgrading places the lives of northern residents at undue and unnecessary risk;

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow these reductions in service and to guarantee that winter roads across the northern regions of the province receive the necessary maintenance to ensure the safe passage of drivers."

That's signed by constituents of mine from Dryden, Sioux Lookout, Oxdrift, Red Lake and Ignace, and I too attach my name to that petition.

LABOUR LEGISLATION

Mr Bruce Crozier (Essex South): I have a petition to the Legislative Assembly of Ontario.

"Whereas the Minister of Labour has introduced legislation, Bill 7, to drastically amend the Labour Relations Act, the Employment Standards Act, and other labour legislation which has been brought forward by successive Progressive Conservative, Liberal and New Democratic governments in the recognition of the legitimate rights of employees in Ontario; and

"Whereas the implementation of Bill 7 will undermine the fundamental democratic rights of employees to organize and to have access to collective bargaining; and

"Whereas employers have raised concerns that Bill 7 will result in an increased number of strikes; and

"Whereas the Minister of Labour is proceeding with Bill 7 without consultation with employee groups and without conducting public hearings;

"We, the undersigned, petition the Legislative Assembly of Ontario to urge the Minister of Labour to withdraw Bill 7."

I affix my signature to this.

COMMUNITY-BASED JUSTICE OPTIONS

Mr Jean-Marc Lalonde (Prescott and Russell): I have a petition signed by people in my riding and the riding of Glengarry-Stormont-Dundas.

"During the 1970s, the government of the day developed measures that curbed the growth of government by involving local communities in the provision of legal services. The criminal justice field began to recognize the benefit of community-based justice options. Privatization was considered more cost-effective while strengthening government ministries through community participation in the justice system.

"Since this time, non-profit agencies across Ontario have developed effective programs and present a strong local face to the justice system while supporting partnerships with an ever-widening community base. Community programs have proven to be effective in comparison to directly operated government services. Community-based options reduce the cost of incarceration while promoting public safety.

"Whereas community-based justice programs such as community service orders, diversion, alternative measures, bail supervision etc have proven value; the screening and supervision of accused and offenders within well-defined programs contribute to public safety; for over 20 years community-based options have made a positive contribution to the welfare of the community of Ontario;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We believe these programs must not be viewed as dispensable. As with many recent cuts, short-term fiscal expediency holds no long-term value. Credible links with the community and quality programs for the citizens of Ontario must be maintained."

HIGHWAY SAFETY

Mr David Ramsay (Timiskaming): To the Legislative Assembly of Ontario:

"Whereas the Ministry of Transportation is intent on reducing northern winter road maintenance services; and

"Whereas such downgrading places the lives of northern residents at undue risk and unnecessary risk;

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow these reductions in service and to guarantee that winter roads across the northern regions of the province receive the necessary maintenance to ensure safe passage of drivers."

I affix my signature to this.

SEAWAY VALLEY

FARMERS' ENERGY CO-OPERATIVE

Mr John C. Cleary (Cornwall): To the Legislative Assembly of Ontario:

"We, the undersigned, hereby petition the Ministry of Agriculture, Food and Rural Affairs to honour a \$3-million commitment to assist the Seaway Valley Farmers' Energy Co-operative construct a \$40- to \$45-million facility to produce ethanol fuel and associated byproducts in the Cornwall area.

"This \$3-million commitment was announced by the former government on April 5, 1995, and was supported by MPPs from all three parties, including the current Minister of Agriculture, whom we hereby petition to immediately provide the money promised to the Seaway Co-operative."

It's signed by many constituents of my riding, and I also signed the petition.

HIGHWAY SAFETY

Mr Michael Gravelle (Port Arthur): I have a petition signed by residents of Terrace Bay, Schreiber, Nipigon and Thunder Bay.

"Whereas the Ministry of Transportation is intent on reducing northern winter road maintenance services; and

"Whereas such downgrading places the lives of northern residents at undue and unnecessary risk;

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow these reductions in service and to guarantee that winter roads across the northern regions of the province receive the necessary maintenance to ensure the safe passage of drivers."

I'm proud to sign my name.

NOTICE OF DISSATISFACTION

The Speaker (Hon Allan K. McLean): Pursuant to standing order 34(a), the member for Cochrane South has given notice of his dissatisfaction with the answer to his question given by the Minister of Health concerning the operating budget of the Timmins and District Hospital. This matter will be debated today at 6 pm.

1520

OPPOSITION DAY

FISCAL RESPONSIBILITY

Mr Rae moved opposition day motion number 3:

Whereas the Common Sense Revolution commits the Mike Harris government to creating 725,000 new jobs; and

Whereas the Common Sense Revolution states that "Ontario needs jobs today and jobs tomorrow"; and

Whereas the government has cut public investments and programs eliminating tens of thousands of jobs in Ontario; and

Whereas unemployment currently stands at 8.5% in Ontario and the current instability in employment in Ontario is of concern to all members of this House; and

Whereas the Mike Harris government has condemned children and their parents relying on social assistance to a less than survival existence; and

Whereas the Harris government has told families who rely on welfare "to work and to get jobs to supplement their income"; and

Whereas the Harris government has done nothing to promote job creation in Ontario; and

Whereas the Mike Harris government has ended an era where partnerships between business, labour and government promoted economic development; and

Whereas the Mike Harris government is following a fiscal plan aimed at further cuts, increasing economic drag and a tax handout to the wealthy; and

Whereas the Mike Harris government's fiscal plan will do nothing to create jobs today or tomorrow;

Therefore, this House calls on the Mike Harris government to take the unemployment situation in this province seriously by restoring job creation programs and job support programs and to follow a balanced and responsible approach to economic development and deficit reduction, rather than pursue a policy of irresponsible cuts to program funding and economic investment in order to pay for tax breaks for the rich.

The Speaker (Hon Allan K. McLean): We will be dividing the time equally among the three parties.

Mr Bob Rae (York South): Thank you very much for the opportunity to speak in the House and to simply say a few words on the subject of the motion which, I think, is extremely clear and speaks for itself.

I don't think there's any question that the one issue that preoccupies most of the citizens of this province is not a revolution or a red book or some government's program or other. The issue that concerns people more than any other in this province has been, for a very consistent period of time, the issue of jobs, of steady work for our citizens, steady work that has eluded us for a very substantial period of time.

I know that members opposite will choose to put forward their own statistics and their own perspective. All I can say to members is this: In the 1989-90-91 recession, this province took a very hard blow. We can all argue about the causes of that, and no doubt members opposite will in their speeches today speak about how it was our government and, indeed, me personally who was responsible for the loss of some 300,000 manufacturing jobs. I can say to members that my shoulders are broad enough and my skin is thick enough to absorb these continuing comments.

I think the facts of the matter are that following 1991, the job situation in the province improved, beginning in

1992-93, and in 1994 we had in effect a very positive year for a period of time ending in December to the point that, just before Christmas of 1994, this province had 5,254,000 people employed. We had our unemployment rate down around 8%. But, unfortunately, since that time, the employment situation has been flat. It's levelled off to the point where today, as I speak, the latest statistics which the Minister of Economic Development, Trade and Tourism referred to in his answer to my question, showed that we have 5,240,000 people employed, which is, as he correctly pointed out, is a 27,000 increase over the last two months, but as I would point out to him—I'm sure he's looking at the same statistics as I am—is a 9,000 decrease since last year at this time. This effectively means that the issue of employment and of jobs and of the availability of work remains a critical issue for us.

I have said on many occasions and I will say again, there is no question that in order for us to deal with the problems that the province has faced, if we had been re-elected in June 1995, we would not only have had to make difficult decisions, which I have stated before, but let me boldly give the minister another hostage to fortune and say we would have had to make cuts. Everybody understands that. In fact, what was unique about the last election was that all three parties agreed that we would have to make cuts. There were some differences. The red book was—what shall I say?—ambiguous on the subject—

Mrs Margaret Marland (Mississauga South): That's polite.

Mr Rae: Well, my cup, for some reason, runneth over today and I don't feel like engaging in unnecessary partisanship.

But I would say to members opposite that we all recognize that. Where do we part company with the government? I think the essential parting of the ways is not on the question of whether cuts have to be made. The essential parting of the ways is, first of all, how that is being done and also the extent to which it is being done because of the income tax cuts.

This is where we part company with the government. As my colleague from Scarborough, the Liberal Finance critic, said, in what I thought was a very effective question the other day, "Why is it wrong to borrow to pay for capital investment, but right to borrow to pay for an income tax cut?" To which I would add, we know, on the basis of every computer simulation and every study that's been done, studies that have been done for the Bank of Montreal, studies that have been done for other organizations, we know as a matter of fact—not as a matter of theory, not as a matter of ideology, not as a matter of faith—that the way the income tax cuts have been structured by this government, they will have less of a stimulative effect than the cuts that they are making with respect to investment.

What we are going to find, as a result of all of this Sturm und Drang, all of the struggle, all of the sacrifice which is going to start next week, is that the number of people who are unemployed will go up, the number of people who are looking for work will go up, and the impact of the income tax cuts—which will be coming, we

hope, in 1996; we're told in 1997; we're not quite sure; they may be deferred; it seems to depend on the day in terms of the position of the Minister of Finance—will not make up for the cuts that have been brought in.

I once said, when I was the Finance critic in the House of Commons, that it would appear that there are three kinds of economics. There's Keynesian economics; then there's pre-Keynesian economics; and then there's pre-Cambrian economics, and it is the latter of which we speak today: pre-Cambrian because it's based, not on fact, but on an ideology and because it fails to recognize the pain and the suffering which is going to be caused by the policies they are bringing in and because it will not have the impact that we all want it to have on jobs.

With great respect to the Minister of Economic Development, Trade and Tourism, when he says, as a matter of philosophy, it is the government's view that government assistance does not create jobs, I can only say to him: That is an expression of faith, but it is in fact categorically wrong.

There are lots of examples where government investment, where government-encouraged investment, where government-leveraged investment, does create jobs. I would say to him that, as a result of this ideology which he is expressing, we are going to lose jobs in this province. The biotech industry indicates that they're going to move to Quebec. Why? Because the government of Quebec has a sectoral strategy. It has a strategy for that particular cluster of industries and they are prepared to support it, support it in very concrete, specific, visible and practical ways.

I would say directly to the minister, we wouldn't have de Havilland Aircraft alive and the largest single industrial employer in Metropolitan Toronto if we had taken the attitude that he did. We wouldn't have Algoma Steel working at top capacity and at good profitability if we'd taken his attitude. We wouldn't have been able to save the thousands of jobs that we saved because—and I make no bones about it—there are times and there are places where government assistance, where government investment is needed, necessary and a positive step that needs to be taken.

1530

To put all your faith in the market, when we know full well that the market alone will not necessarily create full employment, is the best example that I can think of of faith triumphing over experience. The simple fact of the matter is that unemployment among our young people remains a critical problem. The rate of unemployment among young people is higher today than it was a year ago. There are more unemployed youth today—136,000—than there were a year ago—133,000—and I don't see anything practical emerging from the government which is going to change that.

We had in place some practical measures—the Jump-Start program, the Jobs Ontario program—and I know full well the opposition that was expressed by the Conservative Party to those programs, but I can tell you they provide a lot more hope going into this winter and a lot more sense that we're going to be addressing these problems on a practical basis than all the theology which

we hear on the other side. That to me remains the critical question: whether or not a government is prepared to be practical.

I put it to the minister, if Michigan and New York state and Quebec and Ontario are competing for the same investment, and Michigan, Quebec and New York state are prepared to take the kinds of measures in terms of training, in terms of all the steps that have been put in place, that the former Davis government understood full well—how do you think we got the Toyota investment back in the early 1980s, when we were trying to attract Japanese car investment? How do you think we expanded the Ford investment, which we managed to do in 1991-92?

I well remember Mr Ken Harrigan from the Ford Motor Co coming in to see me at the depth of the recession in 1992. He called me on a Friday afternoon at 4 o'clock and said, "I've got to see you right away." I assumed it was bad news, and it wasn't. He came to see me to say, "We want to be able to compete with Ohio and Michigan to attract new investment in Windsor." Do you think if I'd simply sat down and said to him, "There's nothing for you. We have no programs in place, nothing on training, nothing on transition, nothing on new investment, nothing at all"—if I'd taken that ideological position, we wouldn't have those jobs. They would not have come here.

The problem the minister is going to have, as he confronts the way the world really works, is that other governments are offering, other governments are in the game, and if the government of Ontario is saying, "We don't like that game," then I would say to him, "Before you stop playing the game, you better make sure that others aren't playing it as well."

That's the problem I have with the approach that this government has taken. The blanket statement that government assistance does not create jobs is false; it is a false statement. It is fascinating to me that a Minister of Economic Development and Trade would make that statement when, as my colleague the member for Wilson Heights has said, "If that's your view, then what do you see your job as?" I think that's a very legitimate question to be asked.

Together with the question of the impact of cuts, how they are introduced and the overall effect that they will have on people, as well as the question of how the cuts overall will act as a significant drag on the economy, I want to suggest to you that this question of jobs, of job opportunity, of the focus and the creation of jobs, is going to be the issue that is going to determine the success or the failure of this government.

I would say, in all sincerity, that I hope the government is successful in creating new jobs. I really do, because I don't believe that any one of us can sit back with satisfaction and say, "I hope you fail and I hope the number of people unemployed goes up." I don't hope that at all. We've all been at this business for far too long to take that short-range point of view.

I would try to give the government the benefit of some advice. Sure, there were improvements that could have been made in Jobs Ontario. Yes, a narrower focus with

respect to the mission of the Ministry of Economic Development and Trade, fine. No one disputes that. We all were moving in that direction. That was the advice of the Premier's Council, that was the advice that we were getting from the private sector.

But the advice that we were not getting, and the advice that I don't believe is there, is one that says, "Cut wilfully, cut right across the board." I disagree profoundly with the decision to cancel infrastructure investment. I think that's going to prove to be one of the most shortsighted decisions that the government has made with respect to Metropolitan Toronto.

If you want to talk about 10 lost years, we had 15 lost years in infrastructure investment in Metropolitan Toronto rapid transit as it relates to GO Transit, as it relates to the TTC. We had a period of time during the boom years of the 1970s and 1980s when there was scarcely any new investment in the system. When we took office there were plans in place to proceed and we said, "We're going to proceed with these plans and we're going to move ahead."

I regret that Metropolitan Toronto's government itself was not willing to be bolder and firmer in its own commitment to this infrastructure investment, and I believe that the uncertainty of the commitment of Metro Toronto made it easier for this current government to cancel the plans which it has cancelled. But that is all water under the bridge.

What we are now facing is a substantial reduction in capital and infrastructure investment, a complete misunderstanding or a refusal to understand the problem of social capital, and simple mantras back and forth, back and forth, on the subject of the deficit, without the Conservative government having the decency to admit that if they were really concerned about the deficit, they would take what is surely the common sense point of view, which is no tax cut till we've resolved the deficit issue, which is the position that I took in the last election, for which I was of course amply rewarded by the electorate.

I happen to believe that's the practical approach. I happen to believe that we were committed to a balanced budget as strongly as the Liberal Party was and as the Conservative Party was. The difference between us was how we would get there and what we would sacrifice in order to get there, and that I think is the critical difference of opinion.

What this government is doing is going to increase uncertainty in the job market. It's going to increase a sense of unfairness in the workforce, unfairness because of the way in which this government has introduced its cuts and because the lion's share of the income tax cuts will not go to lower- and middle-income people; the lion's share of the income tax cuts will go to wealthier people who are already fully employed and who in all likelihood will use this cash (a) to reduce their consumer and household debt and (b) to increase their RRSP savings or possibly some other forms of spending offshore. That is not a sensible way to move.

In closing, I would say to the minister that if you were to cut taxes, that is to say, if you felt that cutting taxes was necessary and was part of a necessary stimulative

package to the economy, I would suggest to you that a far better approach to take would be to do the following: raise the threshold relating to the income tax so that lower-income people get to keep more and are taxed less. They will spend money far more quickly than your \$150,000-a-year young stockbroker with his wide suspenders; far more quickly, far more rapidly, to their much greater benefit.

Second, take the step which we took in the 1994 budget, and that was to move on the employer health tax and use the employer health tax reduction, or indeed elimination for certain classes of business, or indeed for all businesses for a year, which is what we did, if you hired someone, as a direct reward for hiring.

On this I close: The government has got to learn that theology is not going to solve our problems and that simply repeating the mantras about what government cannot do is not going to solve our problems.

You create jobs most effectively by government itself being prepared to invest in those things which will produce a long-term social and economic benefit to the community and, second of all, by government being prepared to work with business to ensure that in fact businesses will create jobs.

We did it through a whole range of programs, through direct partnerships in Jobs Ontario Training, the Jump-Start program, which was going to be directed at young people, and through the reduction of the health tax and reduction of the payroll taxes, which are related to the creation of jobs. That makes far more sense.

Mr John R. Baird (Nepean): Tax cuts.

Mr Rae: And if you're going to cut the taxes, which my colleague the member for Nepean is urging us to do, then I would say look at where you're going to get the greatest stimulus. I would suggest that an income tax cut, which gives the greater benefit to wealthy people, is not the way to go and that it makes far more sense to do it in a way which ensures that lower-income people get the lion's share rather than the other way around.

1540

It's obvious and clear, I think, from question period and from other debates that we've held, and certainly all the leadership debates that took place before the election and during the election campaign, that we differ very profoundly from our friends in the Conservative Party on the approach that they are taking. I hope, in a curious way, they are right and I am wrong but I suspect that the facts simply don't point in that direction. The facts point in a different direction.

They point in a way of saying that the kind of economic zealotry which we're seeing on the other side will certainly enrich some and it will benefit some and it will come to the advantage of some. But I do not believe that it will have the positive impact on jobs, which has got to be the critical test of this government, because we're not in a big recession, we're not going through some worldwide depression, we're into a period when we are supposed to be steadily improving and steadily creating new jobs and new opportunities.

If this government fails that test, fails to move to give some hope and inspiration to young people and some

sense of real confidence to our working population, then this government will be judged and found wanting.

Hon William Saunderson (Minister of Economic Development, Trade and Tourism): I note that the challenge today was that "this House calls on the Mike Harris government to take the unemployment situation in this province seriously." I want to assure all members of the House that we do take the situation very seriously. I'd like to outline our philosophy and what we are doing to correct the situation.

This is the first time, by the way, that I've had a chance to speak as the member for Eglinton riding. I have answered questions and spoken as the Minister of Economic Development, Trade and Tourism, and I'd like to say how honoured I am to be the member for Eglinton at Queen's Park. I was elected on June 8 for the first time and I'd like to thank the electors for doing that, for electing me. I feel very honoured.

Eglinton riding is a very typical urban riding in Toronto that has all income groups within it. It has homeowners, it has renters, it has families, single people, newly married young people and many retired couples as well. I have lived there for 34 years and I've come to know what those people think, and I'd like to tell you something today about what I found during the election campaign.

I did a lot of door-knocking, at over 30,000 doors, and I found that people wanted change. They wanted an end to the waste and abuse and the mismanagement and an end to high taxes and overspending. They wanted us to balance the budget, and that's what we're going to do in our first term. They wanted a sensible social policy, and I believe we're going to do that, but most of all, I think they wanted job creation for their family members and they wanted a hope for their future.

Since the election I have been doing more door-knocking just to keep in touch with my constituents.

Mr Gilles Pouliot (Lake Nipigon): Always wise.

Hon Mr Saunderson: It is a wise thing to do, and I also have been meeting people in my constituency office. I've been getting letters and sending letters, as we all do, talking to people on the street, people of all backgrounds, and I have found that they are saying to us: "Do the right thing. Keep on doing what you're doing. Don't blink, because this is what has to be done if we're going to bring this province back from the very bad financial crisis that the previous governments had put us into." As much as I respect the leader of the third party and the fact that he was the Premier of this province, we should all have three jobs because of the money that they spent trying to create jobs.

Now, the people of Eglinton understand what we are trying to do, and I think the people of Ontario understand as well. They just will not stand or tolerate the status quo of overspending, high taxes and corporate handouts. All of these things must end.

Obviously the Liberals don't understand because of the questions I've been asked and obviously the NDP don't understand, and I was very disappointed the other day with the member for Wilson Heights, who I've known for

many years and respect a great deal. He has risen in the House three times, and every time he's basically defended the NDP and Liberal corporate handouts and almost asked me to make sure that these handouts were continued, as did the leader of the third party, just today in his speech.

Thousands of businesses in Ontario survive every day without ever receiving a nickel of government money, and that's a lesson for all businesses. I think it's unfair to tax these businesses, these successful businesses who've asked for nothing, to tax them and their workers in order to give money to a select few businesses. I think it's unfair and I think the Liberals support this unfairness, and by the motion today it's clear that the member for York South and the NDP also support this unfairness. They have zero confidence in the ability of the entrepreneurial spirit, which I think is very sad.

I admire the self-reliance and common sense of Ontario's citizens, and government cannot create wealth and it cannot create prosperity, but what our governments can do, and what this government will do, is to restore confidence in Ontario as a place to live, to work and to do business. Those are excellent aims. We are creating an environment that encourages and enables the private sector to invest and create jobs. We will get our fiscal house in order in Ontario.

How are we going to do all this? Well, we're going to lower the personal income taxes to reward initiative, and we will work with businesses to bridge the gaps that deny Ontario businesses access to opportunities.

So far, we have scrapped Bill 40 and replaced it with Bill 7, and that has met with great approval from the business community. We have scrapped the corporate filing fee of \$50 and the cumbersome corporate information return and we will combine it with the tax return to show just how easily this can be done without a lot of expenses by business.

We've begun the much-needed overhaul of the Workers' Compensation Board and we have frozen the average hydro rates. That is very good, because now businesses can operate in a predictable environment. They don't like to have unnecessary and unwanted surprises. We've also scrapped the NDP job quota program, and once again we've been applauded by the business community.

We are committed to eliminating the employer health tax on the first \$400,000 of all payrolls. We have tabled pro-growth changes to the Planning Act and we've begun a red-tape review which will eliminate all unnecessary regulation. These barriers undermine our ability to attract investment and jobs.

We have seen some effect of our actions. Recently, Ontario welfare rolls took their biggest single-month drop since 1969, 27,000 new jobs have been created in the last two months, and we will meet our commitment of 725,000 new jobs, I am certain.

What we are going to do is market Ontario to key domestic and foreign decision-makers to tell them we have the right job climate in Ontario. We are going to market Ontario's business image and trade, tourism and

investment potential. We're going to work with businesses to remove barriers to investment, growth and job creation, and we are going to help businesses develop capabilities in locating financing, penetrating new markets and adopting new technologies. We will work with Ontario's business sectors to promote networking that encourages sensible practices and fosters research and development and innovation.

We cannot continue to tax and spend and regulate and expect consumers to spend, businesses to grow and Ontario to compete. Job creators have told me that many times. The people of Eglinton have told me that. The people of Ontario sent that message to this government. We are listening and doing what the people of Eglinton and Ontario want us to do.

While I appreciate the input from the member for York South and his party, with this motion today they clearly demonstrate why they are the last people who should be lecturing anybody on how to run an economy, create jobs and foster hope in the province of Ontario. Government cannot create jobs, but government can create the economic climate to create jobs. This is what Ontario will do. Once again, it will become a place in which to stand and a place to grow.

1550

Mr Gerry Phillips (Scarborough-Agincourt): I really appreciate the opportunity to debate this issue because, frankly, of all the issues we'll debate in this Legislature, I happen to think this is perhaps the most important. I think the problem is acute. It is a problem we all share, and I hope we all have a vested interest in finding the solutions.

I really worry most about our young people. There is no doubt that they face right now a very desperate job situation. If you look at the numbers on youth unemployment, it is reported at 16% or 17%. But if you look deeper at it, the fact is that an enormous number of young people have simply dropped out of the labour market, and I would suggest that the real unemployment rate among our young people is at least 25% and perhaps approaching 30%. I despair about that and I think all of us need to turn our attention to helping to find solutions.

If the members in the back bench of the government are looking for somewhere to put your attention over the next few months and few years, I'd recommend this area, because the solutions are not going to be easy to find, and I accept that.

We face an unemployment problem generally as well; it isn't just with our young people. The minister just quoted the number of jobs created in October. Frankly, I've been reluctant to blame the new government for things at this stage. It's early in your mandate, it's early to take blame, but it's also a little early to take credit. I would be mildly cautious on that.

The fact is that if you look at the employment numbers in Ontario, they are very disturbing. In 1994, actually, we saw some pretty good growth in employment. I'm sure the former Premier was probably feeling not bad in the middle of 1994; employment growth was coming along very nicely. I'm sure they thought, "We're heading out of the woods now." Then, at the end of 1994, employment

growth stopped in Ontario. For whatever reason, it just stopped. Even with the growth we've seen—and we have seen job growth in September and October in Ontario—even with that job growth, the number of people working in Ontario in October was the same as it was in December.

We've gone 10 months with no job growth in the province of Ontario. That's very disturbing. Clearly, I don't blame the Conservatives for that, nor do I give you credit for the numbers in October and September; it's too early. But the fact is that we all share in this reality that, for whatever reason, job growth in Ontario has essentially ground to a halt.

The new government got elected on a mandate, and the minister keeps repeating it, of 725,000 jobs, 145,000 jobs a year. That's what you committed yourselves to, and gosh, I hope you deliver on that. But if you look beyond the numbers, it is going to be very difficult. You've assumed growth of around 3%, but you've assumed job growth of 3%. An economist would tell you that if you're going to see job growth at 3% and real growth at 3%, you see no improvement in productivity in the economy.

As most of us believe, and you'd certainly think the Conservatives would believe, you don't want an economy that shows no improvement in productivity, so your job promise of 145,000 jobs a year is a fairly high bar to get over. The minister keeps repeating it as their commitment, and we will hold you to that, I assure you we will. Over the months ahead, as you take on more of the responsibility for this, the heat gets turned up.

You have a plan that I know you're committed to. It is, with many of you, a religion, and I think that's why many of you ran. Many of the Conservative members ran because they fervently believed in this thing called the Common Sense Revolution; you believe it's going to work. I have real reservations about it. I tell you, I fundamentally disagree with the province being able to afford a 30% cut in personal income tax.

In the next four years it is going to cost—and these are your own numbers; they're not my numbers, they're straight out of the Common Sense Revolution document—about \$20 billion of lost revenue to fund the tax break. That's what your numbers say. We are going to have to borrow 100% of that money, because you don't balance the budget, as you know, until the year 2001. So every penny of that tax break is borrowed money.

Everyone loves the idea of a tax break, but can we afford to give what amounts to an annual \$5-billion-a-year tax break? As we've often said, if you're making good money in this province, you'll love it. Many of the supporters of your party will thank you very much for it. If you're making \$150,000 a year, it's \$5,000 more a year that you will get in take-home pay. But what is it going to cost us?

If this were just a fight about the deficit, I think you would have far more support. But you say to people that you have got to cut \$8 billion in spending and that we all have to sacrifice for that, but then you take \$5 billion of that \$8-billion cut and give it in a tax break. I agree, by the way, that governments don't create jobs. We can't spend our way out of this problem, I understand that, but

we can make the problem worse. I suggest to you that trying to cut spending so far so you can fund this tax break, rather than help the situation, is going to make it worse.

Even your own numbers would suggest that the cuts you're going to implement in the next two weeks will represent about 70,000 fewer jobs. Those aren't numbers that I make up; those are numbers that I think your caucus would support. You've said you're going to cut 13,000 people out of the civil service, you're planning to cut dramatically on capital expenditures, you are planning to cut dramatically in a variety of areas, and I understand that, but it's about 70,000 jobs. So your first moves, because you want to cut expenditures, result inevitably in fewer jobs.

I wish there was more time. There are many members in our caucus who want to speak, but I want to make two points. One is that regardless of your political stripe, in my opinion the employment problem is probably our most difficult problem and our youth employment problem is probably our most serious problem. I despair of the opportunities for our young people. I clearly don't blame you—I can blame part of it on the NDP—but it is simply a huge problem that we need to turn our attention to.

While you believe you are on the right track, and the Common Sense Revolution to you is a religion, in my opinion it will make for a society where—if I were an investor, the kind of environment I would want to invest in goes beyond just who cuts taxes the most. If I'm an investor and I'm looking where I want to grow my business—and I used to be a businessperson. I had three businesses. I started two up from scratch. I did all the usual stuff. I had 300 employees, the old thing about putting my house on the line. I did all those things. But where I invested and where I grew was much more than just, where is the best possible bottom line?

1600

It had to do with where I want my home, where I want my family, the people who work with me, the neighbourhoods, the health care system and how I treat my neighbours. So this is not just about a bottom line for a company; this is about the vision we have for a caring, compassionate society.

You have your vision; I have a different vision. You've been elected. You are determined to implement your vision. I say that it's not right for Ontario and I will do what I can to point that out. I can't stop you, but I can, I think, help to maybe convince some and mobilize some public opinion that maybe the Ontario you visualize is not the Ontario of Bill Davis and it's not the Ontario of the former Progressive Conservative Party and it's not the Ontario that I believe in. This issue is perhaps the most important one, but it's symptomatic of some bigger discussions we're going to have in this Legislature around our shared vision of the future of Ontario.

Mr Rosario Marchese (Fort York): I rise today to support the motion that was introduced by our leader from York South. I support much of what he said because I think what he says is quite true. Of course the members opposite don't accept that, but we believe that what

they're doing is wrong and we believe that what's driving their agenda is the income tax cut.

They're saying we need those income tax cuts to reward initiative. We argue that that's not what they're doing. They're rewarding those who are well off. They're rewarding those who are much more closely connected to them politically, philosophically and ideologically, and that's the reward they are getting for having elected this government. But it will not help our economy.

I'm going to talk to the people directly, because I know that the members opposite in this government believe they are infallible. You can't talk to people when they believe they're infallible, so I'm going to talk to the people directly.

What they're doing they are doing shamelessly and with incredible arrogance. A number of them have made the point that they will not blink as they do this. Now picture a bunch of people who say that. When they say, "We will not blink as we do that," what do you picture? I picture an army of automatons, an army of unthinking individuals who will simply do what they need to do because they've been told to do it. That's the kind of robot I picture when he or she says, "We will not blink as we do this." That's the kind of person that I see, that I think the public will begin to see in a very short while.

What they're doing is inflicting a great deal of pain on most Ontarians, and they do this with incredible smugness. The public can't see this on the other side, but we see this on a daily basis: the smugness, the arrogance and the shamelessness with which they do this. The mulish haste with which they do these things is incredible.

They want to give away \$4 billion or \$5 billion worth of income tax cuts to the well-to-do. When you do this, you've got to take \$4 billion or \$5 billion from somewhere else. It's not a magical thing. These dollars don't simply come from somewhere; they come from taking it from those who are most vulnerable. That's what you're doing and this is where you're taking it from. It's simple alchemy, you see. If you've got to put \$5 billion somewhere, you've got to take the \$4 billion or \$5 billion from some other place, or you need to borrow to make up that difference. This government obviously doesn't want to borrow, so in order to make up the \$4 billion or \$5 billion they want to give away, they've got to take from the programs they're gutting. They've got to hurt the most vulnerable citizens in order to do that.

That's what's frightening. That's what's hurtful. That's what the public will begin to understand. They're quite happy on the other side, the majority of people supporting this government, because they think they're attacking welfare and many of them believe that's the right thing, that it's about time. People out there still support this government because they believe that this government is still committed to attacking welfare recipients as the biggest problem facing Ontario and our economy. So at the moment they're enjoying good popularity with most Ontarians. Once they see the real picture of what this government is doing, they won't feel like this any longer, but until then, this government is going to continue to enjoy popularity for a few more months yet.

The minister from Eglinton talks about a number of things this government is doing in addition to rewarding initiative through the income tax cuts. He talks about creating a climate for the private sector to create jobs. He talks about scrapping the corporate fee as an incentive to create jobs. It's incredible. Their plan for creating jobs is giving people back \$4 billion or \$5 billion, the well-to-do. They will not go out and spend on fridges, because they already have them. They're not going to go out and buy stoves, because they already have them. If they're making \$100,000, they're not going to spend it on essentials. The people who really need it would spend it, but they're not getting any. It's the well-to-do who are going to get all that money.

So the three things this minister talked about and that these government members talk about and that my fan club over here on the left talk about—income tax cuts, scrapping the \$50 corporate fee and creating a climate for investment—is how they're going to create jobs. I ask the people of Ontario, do you believe that plan? Do you believe the \$50 corporate fee is going to get the private sector to create jobs?

My colleague Marilyn Churley agrees with me, and I with her, that this fee should not be subsidized by the general public. This fee's something the corporations should be paying, because it's a service that benefits them. Why should we pick up that fee? But no, this government says, "That isn't right, so we're going to take away that fee because we think it's unfair for business to pay it," and in so doing, they're going to help to create jobs. It's astounding. Their arguments for creating jobs are the strange alchemy of the 16th century. It is not appropriate for our century because it offers nothing. It will not offer jobs.

What it's going to do, in my view, is destabilize our economy. It will destabilize it in ways they do not yet comprehend. When you take \$4 billion or \$5 billion from all the services that even members across enjoy, you're going to send thousands of people on the unemployment rolls. They will not have jobs, they will not be working. When they're not working, they're out on unemployment insurance, and later out on welfare.

When you force thousands and thousands of civil servants out of the workforce, what happens is this: You create a climate where people do not spend. The confidence that people have in the economy is diminished, and without that confidence, people will not spend. What you're doing is destabilizing the economy. You're forcing people to lose confidence, whereby they do not spend. We know that 60% of our economy is driven by expenditures by the general public, and when they do not spend, we're in trouble.

This government is ruining us. This government will not create jobs. In fact, it will create permanent unemployment. It will bring the middle classes down even further. It will increase disparity between the rich and the poor. The people of Ontario will realize that, and it won't be long. The next announcement, on the 29th, will teach them that lesson.

Mr Bill Grimmett (Muskoka-Georgian Bay): It's a great privilege today to speak in regard to this resolution.

This is my first opportunity to speak at length in the House, and I'd like to take a few minutes to speak about my riding and some of my predecessors.

I've had the privilege to live, work and raise a family in one of the most naturally beautiful areas of Ontario, the riding of Muskoka-Georgian Bay. The riding which I represent stretches from Midland Bay in Georgian Bay all the way to Algonquin Park and is one of the province's leading tourism destinations.

1610

In the recent election, I had the honour to contest the election against two previous members in this House: Mr Dan Waters, the immediately preceding member, representative of the New Democratic Party; and Mr Ken Black, who was in the previous government and for a short time in cabinet. I'm happy to say that both of those gentlemen served their riding with rigour and both were worthy advocates for the tourism industry, which is of critical importance in my part of Ontario.

I would also like to say a word about another predecessor of mine, Frank Miller, who for 15 years served in the Legislature with distinction, reaching the highest public office in this province.

I'm pleased today to have the opportunity to speak in opposition to the resolution moved by the leader of the third party, and I'd like to thank the leader of the third party for providing the government with this opportunity to refresh our memories on our job creation strategy.

I'd also like to indicate that while I'm disappointed he's not present, I'm hopeful that he's watching this on a television at the University of Toronto. I want to thank him for his practical suggestions today, and I'm sure our government will take them into consideration.

I believe that the reason the government enjoyed such widespread support during the recent election was a direct result of the Common Sense Revolution and its three-pronged job creation strategy, which includes debt reduction, tax reduction and a reduction in the size of government.

We campaigned on a commitment to make the long-overdue decisions required to steer the province clear of a looming debt crisis. Just as private sector and family budgets have been cut back for the past number of years, the provincial budget is past due for the same treatment. This government's plan to reduce non-priority spending will, in my opinion, enable us to preserve our most valued and essential services.

The member opposite has suggested that we have a more balanced and responsible approach to economic development and the restoration of job creation and job support programs. Is the leader of the third party calling for a return to his former government's strategy, the Jobs Ontario program? This is a program which failed to deliver the 100,000 jobs that it was predicted to deliver, and it's a program which the Provincial Auditor himself has criticized.

The leader of the third party asserts that our government doesn't take the unemployment situation in this province seriously. Our government is departing from what has been, in my opinion, for my whole adult life,

the conventional political wisdom. It was a kind of Keynesian nightmare where individual members scramble and badger for endless spending by governments.

The minister, previous to me, has spoken about our plan for job growth, and it really was clearly outlined during the election. I believe that our government is directed by common sense and not by so-called experts. The experts that have preached deficit financing for years have, in my opinion, been proven wrong. They have created a monster: a monster of debt in this province. No one would run their household budget like governments have for the last 20 or 30 years. It just doesn't make sense. If you plan your budget carefully, you don't spend more than you take in.

The concept of deficit financing makes no sense to the average person in my riding, but it makes sense to economists. Well, I prefer the logic of the average person, of the small businessman, to that of the academic. I believe that people in my riding have grown tired of the endless debt cycle and that they're ready for bold gestures by government to bring an end to deficits.

The honourable leader of the third party is a proponent of the myth that the government's planned tax cuts are simply a handout to the wealthy. He claims that our plans are only supported by big business.

I'd like to relate to the House the experience that I had during the election going door-to-door. It was a great educational experience knocking on doors in my riding. I can tell you, without fabrication, that the most difficult parts of the riding to go through and sell this message were the wealthy parts of the riding; it was in those parts of the riding that our plan was questioned the most rigorously. But in the working-class neighbourhoods in my riding I was actually surprised by how receptive the people were, especially to the tax cut suggestions. It's my belief that after years and years of diminishing amounts of money from their paycheques the working people in this province saw our plan as an opportunity, a little ray of hope that they might actually take home more money for a change in their pocket.

The recent election was about resentment, I believe. I believe that our plan tapped into the resentment of a lot of working people. They resented the kind of plans that your government had, the kind of plans where taxes always go up and where the amount of money they have in their pocket always goes down. They work all day, they come home, they have to pay for a car payment, they have to pay for a mortgage payment. They have nothing left over. Those are the people who supported us. That's certainly the case in my riding. I can't speak for other members.

I've heard the leader of the third party say recently that he congratulated us on the simplicity of our faith. I agree with the leader of the third party that there is a certain amount of faith involved in the support that we received from a lot of Ontarians.

I'd like to take this opportunity to introduce my parents, who are present in the gallery today. My parents were immigrants to Canada.

Mr Alvin Curling (Scarborough North): Hardworking Ontarians.

Mr Grimmett: They are hardworking Ontarians, and in their usual frugal fashion, they're sitting in the cheap seats. They were immigrants to Canada. They came to this country with plenty of dreams and very little money. But with a combination of hard work and frugality they achieved a level of comfort and a number of their goals. They taught me a way of life based upon hard work and a sense of self-sufficiency. That frugality is ingrained in me.

This is an outlook that I believe is shared also by the people of Muskoka-Georgian Bay, who sent a clear message last June that the province was headed in the wrong direction. The people of my riding indicated their support for the Common Sense Revolution as the solution and the need for drastic and fundamental change in the way government operates. I strongly believe that these changes will encourage investment in the province and create jobs.

As I said before, I believe that the reason we were successful was that we recognized the frustration of the average working person. I think the average working person resents the unbridled growth of government ministries and well-meaning but wasteful programs, and they resent a spiralling debt that has jeopardized their children's future.

Today I noticed that the member for Scarborough-Agincourt indicated in his comments that his main concerns were about the young people in this province. I share his concern, because I have two sons of my own, and I worry about their future and about the future of their classmates. But I honestly believe that we have to rid this province of the kind of debt that we have in order to create some future for those young people.

Now, we've been warned that we're going to be stunned by how deeply into the muscle things will have to be cut in Ontario. With all due respect, I would like to say, and I think many of my colleagues will support me on this, that I will insist and ensure that those long-overdue cuts are made. My constituents have too long waited for a government that would have the courage to deal with the business of government in a way that everyday people would. I think by keeping things as simple as practically possible, by operating sensibly and, for goodness' sake, by not spending more money than we bring in we will create jobs in this province and we will turn the economy around.

Some of the members opposite have drawn attention to the fact that my colleagues and I campaigned and govern on a clearly presented set of principles which they dismiss as ideology. They speak as though there's something inherently wrong or evil about living, acting and committing oneself upon a set of principles. I'm here in this seat to carry out a clearly defined plan, a plan that most of my constituents and I have long awaited.

1620

Mr Dwight Duncan (Windsor-Walkerville): Let me first of all congratulate the member for Muskoka-Georgian Bay. Indeed, his parents must be very proud of

his accomplishments. I know that your parents and your constituents probably wish you all the best. So to your parents we say, congratulations; you have a very successful son and I'm sure he'll make a great contribution to this House.

I'd like to talk just for a few moments, again, about the radical centre and about the difference in approaches that we can take. I listened with great interest to the leader of the third party, the former Premier, as I always do. He is indeed a successful and great person who has made a great contribution to public life in this province and indeed in this country. I listened also to the members of the government who have spoken with the same kind of passion and eloquence that they spoke with during the election.

But I'd like to begin by talking about the state of our economy today and about where we think it's going to go and where we think job creation should fit in with that motto. First of all, members will remember that a couple of months ago the Finance minister released a document that indicated that indeed Ontario had fallen into a recession in the first two quarters of this year. Just this week, in St Catharines, Foster Wheeler announced 180 layoffs in that community. In my own home of Windsor, Everfresh beverages—I'm sure many of you purchase a jar of Everfresh juice—130 layoffs in this province. This is just this week. Yet the minister tells us that the government has no place in job creation.

We disagree with that. We believe that there is a place for job creation. We believe that the government has a very important role to play in that, not only vis-à-vis tax policy but through fiscal policy and through proper spending initiatives.

I'd like to talk about that, because we believe that specifically targeted initiatives—a good one that comes to mind is when the Liberal government bailed out Chrysler Corp in the early 1980s. Herb Gray, the federal member for Windsor West, was instrumental in negotiating loan agreements. Many people who share the view of this government said: "Let them fall. Let them die." You know what? That government had the foresight to ensure that the company did not fall at that time.

I am reminded of the Davis government and the Ford Motor Co in Windsor where, through proper investment and a proper approach to the issue, we were able to bring an entire new engine plant to our community that today employs thousands and thousands of people. We don't agree that government has no role to play in job creation.

I would be remiss, however, because it's good to have our friends in the third party back on this side of the House, so I think we ought to remember a few things as they talk about the importance of job creation. While they were in office, an average of 1,000 people lost their jobs every week they were in power. Translated across the province, that's an immense cost. Between the day that party came to power and they were thrown out of office, the number of people without work increased by more than 200,000. Over 540,000 people were out of work when they left office. An average of 12,000 people every month went on to welfare. Nearly 1.4 million people were on welfare when they left office.

That's not a record of job creation; that's a record of failure. They'll talk about the recession and they'll talk about their broad shoulders and their thick skins and how they had to make the tough decisions. But the recession that we experienced was longer and deeper than it had to be as a result of the policies that government pursued.

Our party is committed to job creation. We believe government has a role to play in it through properly thought out and executed job creation plans that create meaningful work in combination with fiscal initiatives and taxation initiatives that will serve as an inducement to get businesses either to stay or to locate in this province. We intend to challenge the minister over time with ideas for how government can play a constructive role in that job creation and focus on the needs of people in this province who desperately want to work and desperately want the dignity of a job.

Mr Howard Hampton (Rainy River): I want to deal with a couple of aspects of the motion that's before us today.

The eighth "whereas" clause, "Whereas the Mike Harris government has ended an era where partnerships between business, labour and government promoted economic development": I want to get beyond some of the rhetoric that we just heard, certainly some of the rhetoric that was espoused by the Liberal member from Windsor, and deal with some of the actual facts about partnerships between government, communities and business.

Some folks in the Legislature want to pretend that a very deep worldwide recession didn't happen in 1989. They want to somehow ignore that fact and ignore the fact that literally hundreds of thousands of jobs were lost across Canada, that hundreds of thousands of jobs were lost in the United States, that the Japanese economy even went into a tailspin. They want to ignore that reality, and somehow every unfortunate economic event that happened between 1990 and 1995 rests at the door of the New Democratic government of the day.

But the reality is that the world did go through a very deep recession and there are a number of jurisdictions in the world that have still not completely recovered from that. In addition, here in Ontario we suffered some of the negative impacts of the free trade agreement as smaller branch-plant factories across especially southern Ontario packed up and expanded their production at their larger sister factories in the United States or elsewhere. There are all kinds of examples of that: Gillette, Bendix, Caterpillar and so on. Those are all part of the historical record. Many of them happened in 1989; some of them happened in the spring of 1990; some happened in the fall of 1990, 1991 and so on. But that's part of the historical record.

The other part of the historical record is that one of the realities our government had to deal with was a federal government at the time in Ottawa, headed by Mr Mulroney, who as you know is still making headlines for the remarkable record he left behind. Mr Mulroney's government's position was that anything that might help Ontario's economy or help Ontario's economy recover was something he was not going to assist with.

That record is very clear in terms of the amount of money that the federal government would make available, say, to the province of Quebec for manpower retraining and adjustment and the lesser amounts of money it would make available to Ontario. It was evident in terms of the amount of money they would make available for health care for other provinces and lesser amounts for Ontario, and in a number of other areas.

That's just a bit of the historical background that, again, especially members of the opposition, and some of the Liberal members as well, want to ignore.

I think it bears some study, looking at what our government did in terms of trying to come to terms with those very difficult economic realities, and I'm going to use some northern Ontario examples, because I worked on them and I know them best.

When we became the government of this province, virtually all of the pulp and paper industry was on its backside, and at one point in 1990 we were in danger of losing no less than five pulp and paper mills in the province. That would have represented probably about 10,000 jobs across northern Ontario and it probably would have represented a number of jobs here in Toronto as well, since the history of the pulp and paper movement is that the difficult jobs are located in northern Ontario and the administrative, engineering, executive, finance jobs—

Mr Baird: Went to New York and borrowed some more money.

1630

Mr Hampton: I acknowledge one of my Conservative colleagues over here to the left, oddly, who actually worked in financing some of the activities in the pulp and paper sector. But the reality was, we were in danger of losing literally thousands of jobs and a number of mills.

If we had followed the economic precepts of this government that's here now, all of those mills would have gone down the drain, because what saved them, what helped them restructure themselves and what has allowed them to be profitable mills today, was the willingness of our government to sit down with the industry, to sit down with the trade unions involved, to sit down with the communities and the banks and put together partnerships that allowed them to restructure themselves.

Let me give you some examples: Spruce Falls in Kapuskasing, St Marys Paper in Sault Ste Marie, Provincial Papers in Thunder Bay, all of these mills to some extent now are employee owned and to some extent the government of Ontario also has a stake in their operations. But it was and is very much a partnership between private industry, the government of Ontario, communities and unions to assist what are very valuable economic assets to the province to continue to produce, and to produce on a world market and to produce at a profit.

It doesn't end there, and the Conservative members might really receive an education in doing this. Last April, just before the election was called, the Report on Business of the Globe and Mail ran a front-page article on Algoma Steel, and it was interesting. They described Algoma Steel as one of the most productive steel mills in North America—"has lower accident rates, lower rates of

absenteeism...employee productivity is very, very high"—and pointed out the reality of that partnership between the government, the financial institutions, the company that formerly owned it, trade unions and the community, to produce a brand-new, whole new company that is very productive and is doing a lot for the economy of northern Ontario.

Those are partnerships, and if you followed the economic precepts of this government, all of those jobs would be down the drain and all of those very creative partnerships that are allowing so many thousands of people to continue to work today and to continue to be productive members of society would have been down the drain.

They follow these economic precepts for no other reason than ideology. They believe, without any jot of proof, that only the private sector creates wealth and creates jobs. But if they'd only examine the historical record they would see that is very false and that there are all kinds of examples across this province and across this country that show that it's false.

I hope the government, before it makes some decisions that we'll all regret down the road, and kills jobs and kills industries like Algoma and Provincial Papers and Spruce Falls, will rethink its so-called economic strategy.

Mr Ted Chudleigh (Halton North): It is my pleasure to rise in this House as the newly elected member for Halton North. There are certain events that are used as watersheds to segment one's life. These events hold a defining quality about them. They allow individuals to make a difference, seize the opportunity and take on the challenge. On the occasion of my maiden speech, this is one of those times.

I was disappointed at some of the statements made by the leader of the third party in his motion, and further by his criticism of this government, that we're moving too fast to rectify the economic disaster created by the former government, a government that time and time again lacked the vision to make the difficult choices needed to preserve the economic viability and the financial integrity of this province.

Let me remind this House of the legacy left by the previous government: a crippling debt of almost \$100 billion in spite of over 33 tax increases; a net loss of jobs over the last five years that still stands at 80,000 fewer jobs than in 1990; promoting the cycle of dependence that saw the welfare budget bloat to \$6.8 billion; a massive unfunded liability at the Workers' Compensation Board that stands at a staggering \$11.4 billion today. This is the legacy left by the previous government, a legacy that all will remember as the lost decade, turning Ontario, the economic engine of Canada, into the caboose.

I let my name stand for election for one reason: to be part of a government that would create an environment which would encourage jobs and investment, to eliminate red tape and to stimulate the economy by bringing welcome relief to all the taxpayers in Halton North and Ontario.

Through the Common Sense Revolution, I believe that the vision of hope and prosperity could be realized for all

of my constituents. The introductions of Bills 7, 8 and 15 are the start of that realization of this vision.

With this in mind, I would like to tell the House a bit about my riding of Halton North and some of the special things that have happened since the election of June 8.

Halton North encompasses the three towns of Acton, Georgetown and Milton, with Esquesing and Nassagaweya townships and the villages of Campbellville, Mofat, Brookville, Speyside, Limehouse, Norval, Hornby, Glen Williams and Ballinafad—or at least half of Ballinafad; Mr Arnott, who is not in the House today, shares the other half—a community facing the challenges of balancing these resources and creating jobs for the year 2000 and beyond.

As someone who grew up on a farm, I learned a work ethic that helped create a pathway for jobs. I know the importance of agriculture and food in Ontario. To the residents of Halton North, agriculture plays a significant role in our community, a community which is home to the Ontario Agricultural Museum and hosts three major agricultural fairs yearly in Acton, Georgetown and Milton. From apples to zucchini, Halton North is a proud producer of agricultural products and livestock whose genetic material ranks among the finest in the world, creating jobs, opportunity and investment.

Halton North is also the proud home of a number of varied ecosystems. These ecosystems include the Niagara Escarpment, which encompasses approximately 30% of the land mass of Halton North and gives residents a keen sense of appreciation for nature. The famed Rattlesnake Point on the escarpment has a lookout point from which it is possible to see Toronto and, on a clear day, the mist rising from Niagara Falls.

As mentioned at the outset, Halton North brings many concerns together, not the least of which is industry. No fewer than five limestone quarries are included in Halton North, including the largest in Canada. These five employ over 1,000 people, as well as many more involved in the spinoff industries, including trucking.

With its close proximity to Highway 401 and undeveloped lands at its doorstep, Halton North is well positioned to take advantage of development opportunities as the time for growth has arrived. It is with great pleasure that I announce in the House today that as a direct result of this government's election, new investment and growth in Halton North is already taking place.

Since June 8, the following companies have made growth announcements:

Systems Xcellence, a total solution provider in the field of electronic transaction processing, which hires skilled information technology professionals: In a letter of October 5, 1995, they made me aware that in the coming months they plan to expand their workforce from 110 to 260 employees, over 100% growth, and break ground to increase their building capacity to accommodate this growth, with the expectation that export sales will top \$10 million, the majority in US dollars.

Further, a food distribution company announced in July 1995 a new industrial expansion and will make a capital investment totalling \$10.7 million.

SKD, an auto parts manufacturer, announced in June the investment of \$403,000 for new industrial construction.

Further, a summary of business registry activities provided by Halton region from June 1995 to the present, as compared to the first five months of 1995, reveals the following positive indications: Business registrations in Milton are up 14%, business registrations in Georgetown are up a whopping 68% and business registrations in Halton North generally are up 11%.

These announcements and indicators for the residents of Halton North and the people of Ontario mean jobs, jobs and more jobs. The list goes on.

1640

The business community in Halton North and indeed across this province has received the message loud and clear: The Conservative government in Ontario under the leadership of Premier Mike Harris, guided by the mandate given to our Common Sense Revolution, will promote an environment where the private sector can do what it does best: create jobs, real jobs, in the province of Ontario. The bottom line is that this kind of job creation is the best solution for the financial crisis we find ourselves in today.

I am honoured, and at the same time humbled, to sit on this side of the chamber once graced by my grandfather, the Honourable Thomas Laird Kennedy. His public service of over 50 years in Ontario included being the reeve of Toronto township, the Minister of Agriculture of Ontario and the Premier of Ontario while serving the riding of Peel. While my grandfather might not have pictured any of his grandchildren in politics, I know he'd be pleased with my decision to run for public office and be part of what I see as a historic change in the way government conducts itself.

Times and people may change, but the essence of core human values rarely differs from generation to generation. That is why I do not find it the least bit ironic that the core values in the Common Sense Revolution echo the core values found in the age of my grandfather: values of thrift, living within the scope of one's economic reality, a deep sense of community and a fierce independence that avoided government assistance or intervention at any cost.

The people of Ontario won't be fooled any more by the little boy who cries wolf. Ontarians do not believe it is irresponsible to cut spending in this province. These measures will help re-establish our credit rating and encourage growth and investment and create jobs.

After 33 tax increases delivered in the last five years, all Ontarians want and need the welcome relief a tax cut will provide. Our tax cut will stimulate consumer spending, spur investment and spark job creation. The leader of the third party continues to brand our politics as tax breaks for the rich but conveniently forgets to mention that those earning more than \$50,000 a year will be subject to the fair share health levy tax.

The elimination of barriers to growth and investment are also part and parcel of our program. We have eliminated the corporate filing fee, frozen Ontario Hydro rates

and are committed to eliminating the employer health tax for small businesses, all of which stimulate growth and investment and create jobs.

Stating it as mildly as I can, Ontario is at a crossroads, close to the fiscal point of no return. That is why it is necessary to initiate the kind of remedy needed to fix that which ails the province. This government has the right medicine that I believe will lead us to a cure.

The Common Sense Revolution was the lightning rod that convinced me and many others across the province to become a part of the process that follows the path towards positive change. Together, we all share a responsibility for helping create that positive change. Jobs, growth and investment are part of that change.

We in this province have been up the mountain of debt and deficits. We have looked over the edge into the abyss and we have seen the future of despair provided by the previous government. On June 8, Ontario chose hope. We chose to accept those values my grandfather embraced and the values that we want to establish in our children: values of reward for hard work, of individual choice, of incentives to succeed, of growth opportunity, but most of all of hope—hope for the future, hope for our children and hope for our province.

This government and the Common Sense Revolution will deliver that hope as we approach the dawning of the 21st century.

Mr Richard Patten (Ottawa Centre): I am pleased to rise this afternoon and share in the debate concerning the unemployment situation in this province, which is rather serious. I would like to prelude my comments by a couple of statements that have been made heretofore, especially that government cannot create jobs.

While I would agree with the spirit of that statement, I obviously would not agree that government cannot create jobs. I think of the job governments do in terms of developing infrastructure. I think of, in my own area in eastern Ontario, the efforts to complete Highway 416, which has been on the books for decades, and the number of jobs that creates and the spinoff effects that has in terms of job creation and in terms of the infrastructure and the enhancement of opportunities for transportation, for access to the capital of our particular region and our nation, all of the spinoff effects that take place, yet it would not happen if government were not to take some initiative in order to see that this infrastructure was in place.

I would like to address another issue, and I would address this remark to our Minister of Economic Development, Trade and Tourism, the minister responsible for those things that stimulate economic development. I was disappointed to see the elimination of the Ontario Development Corp, which has some spinoff in terms of northern development. My colleagues from the north will certainly know of the good work that takes place there, and I of course know more specifically about the activities of the Eastern Ontario Development Corp, where no one else would venture. The banks wouldn't venture into supporting things because it was risky and the government said, "We will have people do an analysis, we will use people from business and their expertise and people

from the development area of economic development, universities, whatever, and we will stimulate activities."

The Ontario Development Corp, of course, has assets. It will be interesting to see what's going to happen to those assets or whether in fact you will retool that particular corporation. Maybe there is some need for some activity there.

But to me, there's no question that the Eastern Ontario Development Corp's stimulus in producing exports, software from the high-tech industries in particular, means billions of dollars for the economy of Ontario.

More specifically, I want to address one area that often gets left out, the youth unemployment area. The official statistics for youth unemployment are in the range of 16% to 17%. Everyone knows that it's hard to calculate those who have dropped out, those who have decided they no longer have any hope of finding employment and just leave. You may see them on the streets; you may see them at home doing nothing because they've given up. A more realistic figure is probably in the 25% range for young people 16 to 25 years of age.

There's been a long tradition of governments tending to work with the voluntary sector in terms of support programs for people because, as everyone in this House knows, it is more expensive to have people on welfare than it is to invest in people who gain new hope, develop the skills and in fact are able to employ themselves or find a job. It's always a crucial area in times of high unemployment, and we're in one, but those most crucially affected are really our young people.

It seems to me we have to talk about the initiatives in our schools. The Minister of Education and Training talked about strengthening our co-op programs, strengthening our apprenticeship programs in our schools, and those are vital. These programs are not just for those who are having difficulty in school; they are providing the opportunity for young people of all educational and academic capacities to gain some experience in the workplace, whether it is a business or a college or a voluntary organization or indeed maybe even in some government offices, to learn what it means to work in a different area—very, very important, developing the experience and developing the awareness of what is required of you when you leave.

There's nothing worse than feeling you've gone through a system in which you're expected to have learned a certain curriculum, and that this will be good enough and that there are people waiting to hire you, when we know that is not the case. We have to do much better than that.

1650

When I have the opportunity to talk to high school students and they say, "What can we expect when we graduate?" one of the things I tell them is that one area they should be paying attention to, in my opinion, is to start developing their own entrepreneurial skills. The attitude that because you're in the educational system and at the end there will be a job waiting for you—my assumption is, don't expect that there's a job waiting for you. See what you can do yourself. Begin to increase the experiences that you have available to you. Take an aggressive, proactive stance and attitude and learn what

it means to develop skills, ideas for a business or for a service or some kind of opportunity. If indeed at the end of your academic experience others see the strengths you have and would like to hire you, at least you have a choice. But you're not beginning with the assumption that, "If I go through this experience, by gosh there will be a job automatically for me to have at the other end."

I see that my time is pretty well up. I would like to make just one last statement to encourage the government. When they have some of these programs working with young people, and it applies to whoever—I've spent some time in this particular sector, as some of you would know, working with some of the organizations, the youth centres, the YMCA and YWCA, the Red Cross, the boys' and girls' clubs, whatever they are. These are organizations that care about young people. That's why they're in the business of working with youth. They care about them. They have a lot of expertise.

Time after time, I see government making the assumption that somehow all the knowledge is in government. It is not in government. It is in the community, it's in the private sector and often in the voluntary sector. These people care about those young people, and those are your real partners. Those are the people who want to work with government, want to see young people get ahead, want to make sure they get off the welfare rolls and make sure they don't get on the welfare rolls to begin with.

My time is up and I will end there.

Mr Pouliot: There's so much to say when I look at the resolution presented by the leader of the third party, my leader, and yet so little time.

The member for Muskoka-Georgian Bay has captured, seized the moment, always an exciting time when we address colleagues and Ontarians—and more exciting when our parents pay the compliment of their visit. It's a point that will stay with you. I certainly wish you well.

The dean of the House, 25 years next October, the former Deputy Premier, Minister of Finance: We all had a caucus meeting and we're au courant. We want to wish Floyd, our friend, our colleague, a person who knows no enemy in this House, I'm convinced of that, we want to wish him well.

Applause.

Mr Pouliot: Thank you kindly.

The resolution implies that it's quite simple reading. It reminds the government that there have been previous governments, and regardless of political stripe, regardless of ideologies—not that they're all the same; you keep reminding us and we reciprocate—there are times where events supersede, become more important, are speaking louder than ideology.

Over the years I've cautioned myself about words such as "always" or "never." In the political sense, they may come back to haunt you. In the real world, there are times and situations where it becomes money that is well spent. Bad examples, unfortunately, murk the picture. Good examples give us a chance for equilibrium and balance.

We know that it's more difficult now because you have this restructuring revolution. There's little database

to draw from. It's not the same; it's not written at the library. The other day it was mentioned that we are beginning a new era. Some people thought that it had to do with the new government. Well, maybe that too, but more than that, you have on the one hand the traditional cycle: the good times; the ceiling; the bad times; heaven forbid, a recession. Then you have the excitement of a big, bold move forward. And you have to reconcile your commitment when you do that.

When Chrysler comes calling to have a third shift and they wish you to have a \$30-million forgivable loan—and the former Premier is right: You have to look at what is being done elsewhere. Could we not negotiate some? You have from time to time an invitation to partake, and they will up the ante and you will have to have the confidence to say no but yet not to shut the door, because you said that we would do this and we would do that.

You have some challenges, and I sense a certain perverse pleasure or, if not pleasure, at least determination to say, "If we said we would do it, we shall do it come hell or high water." I recall—it's not that long ago, yet far too long—where I was sitting beside the Minister of Economic Development, Trade and Tourism, the person under whose auspices is the future of the province to a large extent. He is preceded by a flawless reputation. I'm convinced that meetings in the boardroom, with respect, Mr Minister, had a different style attached to them, that you didn't, as a result of a provocation, draw the same reaction. It is not said in those chambers but it is done in this chamber.

You've promised a 30% tax cut. Well, maybe at 15% you would have had the same "political mileage." I'm not aware of too much of a database, but 30% is a round figure and it sells well. We've been overtaxed; there's no denying it. You've proposed a balanced budget in about four and a half years. You keep reminding us that the budget shortfall, to say nothing of the debt, is in the neighbourhood of \$10 billion. Even the Republicans are asking a compromise between seven and 10 years. What I'm suggesting humbly is, show the same determination, but take a little more time.

The electorate will be forever forgiving. They will see their way as a party that is doing what they said they would do. But there comes a time, as you look to the demographics, as you look to the deficit, as you look to the \$3-billion shortfall in the next two fiscal years starting next April 1, where you will have to decide whether a mild case, a condition, must or must not be overradiated. It's not a matter of forgiveness; people will understand. There comes a time, because you're talking about \$3.5 billion—I mean, you embark. I don't get too many calls from the less fortunate; it's not in their style. I am now getting more calls from service providers.

1700

The anxiety has become palpable and concrete. A cynic would say that you've moved up the food chain, and those people have voices. Don't dislocate. Don't say, "Because I must protect my halo of sanctity, I will cut to the bone, and I will do it," because the public wishes to take a hit. They're a little hesitant when they see that if you make \$150,000, you're going to get \$5,000 in tax

breaks. Of course, you already pay more and you should be getting your fair share, but when you flash the \$5,000, or \$30,000, \$35,000, \$36,000 at \$250,000, they become a little more hesitant, because we cannot relate to this.

I'm going to wish you well. I will be supporting the resolution because for me it strikes of equilibrium, it strikes of balance, and that too the resolution should be part of your Common Sense Revolution, because it does exactly that; it is indeed filled with common sense.

Mr Tim Hudak (Niagara South): It is my pleasure to rise today to speak to the opposition day motion, a motion that asks this government to pull away from the edge of fundamental change in this province and restore the status quo. In my opinion, this motion asks me to step back from this change and to step back into the mire of debt financing and joblessness, lost hope and forfeited dreams.

I oppose this motion because of my own experiences in the last five years, experiences that I have shared with the hardworking women and men of Niagara South riding. In my relatively short life, I have had the opportunity to live in and visit for extended periods various cities across this great country. However, I always find myself returning to the beautiful, quiet land nestled between Lake Erie and the Niagara River. This riding I'm most proud to represent, Niagara South, is comprised of a handful of small communities, cities and towns which share the rural traditions of friendliness and generosity, civic duty and civic pride, and each is unique in its own right.

In my first opportunity to speak at length in this assembly, I would like a moment to talk about my riding. I was born and raised in Fort Erie, Ontario, the home of the Peace Bridge, a focal point of international trade, and the Fort Erie Race Track, the second jewel in Canada's triple crown. Fort Erie consists of several smaller communities, including Stevensville, where I now reside, Ridgeway, where my parents taught for 25 years, and Crystal Beach, home of some of the Niagara Peninsula's richer history.

The city of Port Colborne marks the opening of the Welland Canal. It has a proud history as a shipping and manufacturing centre. With a determined new city council, Port Colborne is diversifying its economic base and is well placed to prosper once more from the changes this government will help bring about.

Wainfleet, the home of the Marshville Festival, is a small, closely knit, hardworking community that earns most of its money the hard way, through agriculture. What Wainfleet lacks in numbers, it more than makes up in community spirit and service. Wainfleet recently hosted the Niagara South ploughing match, in which I participated, as did the member for Niagara Falls, Bart Maves. I am pleased to say that I was awarded the esteemed prize in this contest of "almost won."

I am also most proud to represent the southernmost portion of Niagara Falls. The rural and young families south of McLeod Road have placed their trust in me, and I will do my best to advance their interests and deliver on the promises I have made.

There is one thing that I firmly do not believe is in the interests of the hardworking women and men of Niagara South, and that is to abandon change and to fall back upon the failed policies of the previous government, as this motion before us today asks me to do.

I remember 1990 very clearly. I graduated from the University of Western Ontario and was sent out into the workforce at the same time as the NDP set about implementing their economic plan. It didn't quite work out that way. I found work, but I count myself fortunate. Many graduates of the early 1990s went jobless or seized whatever McJob they could find.

Many of my friends, the daughters and sons of people in my riding, fled this province to the west coast, to the United States, overseas, or wherever possible, but too many fled from Bob Rae's Ontario in search of hope and opportunity somewhere else. They were bad days for Niagara South. I will not abandon change now and let another group of young people, the sons and daughters of the working people in Niagara South, experience that fate, as this opposition motion prods me to do.

I remember working down at the border, at the Peace Bridge, and seeing with my own eyes companies packing up, closing up shop, laying off their workforce, heading east or west, or across the border to the USA. UPS and half the jobs at Robin Hood in Port Colborne come immediately to mind.

The people of Port Colborne and Fort Erie remember the flight of jobs from Ontario. They remember the days of 65 successive tax hikes, job-killing labour legislation and an explosion of government debt. Those were bad days for Niagara South. I will not abandon real change now and let another group of hardworking women and men experience that fate, as this opposition motion prods me to do.

I'd like to talk about change. Today we have a government committed, not to raising taxes, but to lowering taxes, a government committed to balancing the budget and creating a positive environment for economic growth and job creation. With that change comes more change.

There is a new company coming to town. Great Lakes Bureau, the third-largest receivables management firm in the United States, will be coming to Fort Erie, Ontario, in the new year. Beginning with 50 new, well-paying jobs, they expect to expand to over 100 personnel by the end of the year—jobs coming this way across the border without government assistance, jobs coming from the States into Ontario. Now, that's change.

I would like to tell you about Frontier Distributing, a growing small company, about 60 full-time staff, that had seriously considered moving its base to Buffalo, New York, from Fort Erie under the previous government. Thankfully, they held off until the election. The president of the company, John Hamilton, recently wrote me. He said, "As we watch the Harris government take a necessary hard line on change, including the repeal of Bill 40, we decided...to go ahead with a half-million-dollar capital expansion (without government financial assistance) in the attempt to anchor us in Fort Erie as a growing small business."

That may not be a large dollar figure to previous governments accustomed to running up \$10-billion deficits, but to the families of those people who work at Frontier, and those who will in the future, that figure is vital.

About two weeks ago I rose in this assembly to announce a \$10-million capital expansion project which included 120 new jobs—a 100% increase in employment—at Ronal Canada in Stevensville, home of the Tim Hudak Action Centre. According to the plant manager, Rick Visser, Ronal Canada was chosen because of management-union cooperation without Bill 40 and the new political climate in the province of Ontario.

Trench Manufacturing—high-quality textiles—will be expanding in Port Colborne, Ontario, with a \$250,000 capital expansion project and up to 20 new jobs.

When I attended Our Lady of Victory school, an elementary school, a teacher of mine, Cathy Dennahoer, taught me this important message: "Let he who is without sin cast the first stone." When I see this motion coming across the floor, I cannot help but think that it was thrown by a party that has committed some rather egregious economic sins: nearly 80,000 fewer jobs today than at the beginning of the NDP mandate; unemployment jumped from 6.3% to 9.3%; nearly four consecutive \$10-billion deficits, creating a \$100-billion debt load; a credit rating downgraded four times.

1710

The people of Wainfleet and the people of Ridgeway remember those irresponsible spending years. They were bad days for Niagara South, and I will not abandon real change now. I will not abandon businesses like Frontier and Great Lakes who have made investments trusting in us to help restore a positive economic climate to Ontario and condemn them to higher taxes, larger deficits and runaway debt, as this motion prompts me to do.

I'd also like to take a moment to address the clauses in this resolution related to social assistance reductions. The minister in the former government, the member for Dovercourt himself, said: "The welfare system in Ontario simply doesn't work any more. It is an expensive, inefficient system." He went on, "Taxpayers demand and deserve a more sound and accountable system."

The changes we have made in social assistance reflect what the majority of people in Niagara South tell me they wanted to see. The previous governments, by raising social assistance rates well beyond those of the other provinces, turned the safety net into a web which held recipients down, paying them only enough to keep them poor and financially penalizing any attempts to get back on their feet.

We have made the necessary changes to restore the incentive to work again, and already we have seen results: a steady decline in the social assistance rolls since July; 24,000 fewer recipients in August-September; 36,000 fewer recipients in September-October, the greatest drop since 1969. In the Niagara Peninsula, we also had the largest percentage drop in recipients since 1969, an 8% drop in one month alone.

Interestingly too, an additional point in the peninsula, the Niagara region used Jobs Ontario to help the recipi-

ents find work through its employment programs unit. This month, without that Jobs Ontario funding, job placements are up 20%.

I know that many individuals and families are facing difficult challenges today, tough choices, the uncertainty of re-entering the job market, but these numbers show the most significant drops in the welfare rolls in two generations. We are making the change to restore hope and prosperity and jobs in this province once more, and I will not abandon real change now and condemn those struggling to pull themselves out of poverty to a lifetime on assistance, as this resolution prods me to do.

On behalf of the people of Niagara South, who have placed their faith in me to make change and restore hope and opportunity, I strongly, very strongly, oppose this motion before the assembly today.

Mr Curling: I appreciate the opportunity to comment on this resolution put forward by the third party leader. To my colleagues and the people in Ontario, Scarborough North is one of the hardest-working communities in our province and it reflects very well people of the working class, the people who struggle, people who send their kids to school, people who have very much tried their best to make their contribution in our society.

People believe that the government role in our society is one of the most important institutions in a democratic society. It is the institution that should protect the most vulnerable in our society. That's what it's all about. We know that those who are capable and able with regard to money and status are able to provide for themselves, but a government that collects the taxes is able to distribute that and protect those who are so vulnerable in our society. When I come to this place of legislation, of governing, it is my role to see that this is done.

Of course, this government has taken a new mandate which it calls the commonsense approach. I am searching very hard to find any kind of sense in what they're doing. The kind of assault that this government has put on those who need day care, those who need affordable housing, those who need some assistance in order to be more profitable and productive in our society has made me have great concern about the role of government and who government serves. This concerns me a lot.

We talk about a job. They call him Mike the Knife, cutting all these jobs away from many people who have earned them and worked so hard, and he has defined that these people should not be working. In the meantime, we know what a job is all about. A job brings more than just money to pay for rent, it brings more than the mortgages, it brings more than the tuition fees that must be paid, it brings more than the day care subsidy that they must give in order to get out to work; it brings a sense of dignity for the individual who has status in the family, to say that they can contribute and they're making their contribution to society and to their family. It's a sense of importance. That's what a job is all about: a sense of importance, of feeling that as an individual one can make this place a better place for all of us to live and to work.

What this government has done—and I hope that they will see very clearly the most important resources that we have in our society, who need a chance—is block those

opportunities coming about. Some of the laws that are in place in the system and bridging that gap to eliminate barriers so that the disabled can contribute in a very productive way, that is all gone.

I'm going to urge you all to look at the individual aspects of it: to look where women were denied for years proper pay for work of equal value, which people have struggled for, legislators have come in here to fight for; to make sure that those barriers are not put back up again and the status quo is not here, where the dominant males will provide and persevere to make sure that they are the power; hoping that all people can contribute, such as the disabled who just need access to come into a place and were being systemically denied those opportunities. That's what government is all about: to break those barriers down.

When we look at jobs and those people who are denied jobs, these are the most vulnerable people, and the statistics have shown this. We have shown too that our young people must be given hope, given hope upon graduation that hard work, in the sense of where they would have liked to have an education—many of us have told our children that education is the key to it all—after the high cost of education that we see today and having graduated, they are unable to get a job because of the economic situation.

What bothers me, Madam Speaker, as you must have seen too, and many of my Conservative fellows, who of course will tell you they read the Financial Post every day, is the fact that the banks are making an enormous amount of money in a great recession, a time when we feel that the recession is here and the poor have not been able to work, do not have jobs. Yet we are in a recession, a recession where people have no money to buy the basic needs to bring dignity and respect to themselves.

The job of a government, the job of the Legislature, even the job of the opposition is to remind you all that these people are the most vulnerable in our society, and by cutting off these jobs and making sure they don't get the hand-up situation, the support, what you are doing is creating a situation that when the chicken comes home to roost, we all shall be paying for it.

1720

Of course, I don't want to preach doom and gloom in this province or in this country. This country is a wonderful country and this province is a wonderful place. I think the only problem we have is that the resources are not being distributed in an equitable manner. That's the responsibility of government, to make sure that the infrastructure—and the minister of economics and trade touts every day that government cannot create jobs. Let me tell him, they can. That's their job, to create jobs, to make sure that the environment is there, to make sure that those systemic barriers and things that are in place for those people who would like to produce in our society are able to do so.

So don't stand back each day and have the same kind of speech—and I hear it on the lips of many of the ministers. The Minister of Housing, for instance, has said that we must come out of the building of housing. First, we were never in the building of housing, and I would

ask him too if many of those houses that were being built, affordable housing that was being built with the assistance and support of all the levels of government, from the municipality which provided the land, from the provincial government that supported the mortgages and the federal government that assisted in the mortgages—where would these people live?

The stimulation that happens in the economy in regard to the building of those homes and the buying of the furniture and the place to put someone that they can live decently—I say to you it is your job to make sure that we all share in the wealth of this province, in the wealth of this country. When you tout the fact that “Let's give it to big business because they in turn will hand it back down to all those small people, because they in turn”—they cannot wait—“will prosper,” that's not prosperity. That's aligning one end of the world or category with some money in the sense of waiting on the trickle-down theory. That's the Reagan economics, the voodoo kind of economics that does not work.

So I say to you as I appeal to you, you have an opportunity to show leadership and support this resolution. I want to thank you very much for the opportunity to let me speak.

Mr Rob Sampson (Mississauga West): As I start off, I apologize to the House if my voice sounds a little strained. I'm struggling with a bit of the flu today but I didn't want—

Interjection.

Mr Sampson: Somebody else is struggling with the flu too.

Mr Hampton: Stay in your own seat when you've got the flu.

Mr Sampson: I hope to pass some of that to my colleagues to the right.

I didn't want to be kept, though, from speaking to this particular subject today, for a number of reasons. I suppose one of the more important ones is that I happen to represent one of the many ridings in the great city of Mississauga. As you may know, the city of Mississauga happens to be a debt-free city and has developed this business focus, and that's why the taxpayers were receptive to the approach we laid out and I laid out to them throughout the campaign, an approach to be fiscally responsible and to spend the money properly and, frankly, to spend the money that we have and not to spend the money that we don't have.

But in the very short minutes that I have, I'd like to reply to a couple of the points that have been raised already today. The member for Fort York indicated to us that it was his belief that the well-to-do will get all the money. He's of course referring to that particular party's view of where the 30% provincial income tax cuts will go. The leader of the third party indicated that in his view the lion's share of the tax cuts will go to the wealthy people.

I found that a rather interesting statement to make, so I decided to do a bit of research into how the various income levels are spread in the province of Ontario, and I also have that information for my particular riding but

the numbers are relatively the same: 88% of the working population of this province, and that's people 15 years of age and older, earn less than \$50,000. So I guess that means, from the third party here, that their view is that 88% of the people are wealthy. How can that possibly be, someone earning \$50,000 wealthy?

Let's take a look where the 50% number fits. The lion's share of the people who will get the tax cuts earn less than \$50,000. These are wealthy people, according to the third party. I think I would like to hear the leader of the third party take that comment to a rather interesting meeting that is happening in this particular city and tell the leaders of the union movement that they happen to represent the wealthy workers of this province.

There was also a point made by the leader of the third party that our particular efforts on reducing the personal income tax will not, I believe he said, have an impact on jobs. Then he went on and said that he created the jobs; their particular government created jobs. He also indicated that there would be a greater stimulus to the economy by providing, I believe, the lion's share of the tax decreases to the lower-income group.

In preparing for my particular address today, I happened to refer to a rather interesting document. It's entitled Ontario Fiscal and Economic Issues and it's a review of the financial situation of this province prepared by a company called Dun and Bradstreet. These are the people who are charged with the responsibility of determining the credit-worthiness of the debt instruments that colleagues here in both of the opposition parties rapidly issued during their heyday period, the lost 10 years.

I want to refer you to a statement made on page 2, under the employment section. It says, and this is not something from the Conservative Party; this is Dun and Bradstreet: "Employment is still nearly 100,000 jobs below the pre-recession peak in 1989."

Well, wait a minute. Didn't the leader just tell me that he created jobs? Didn't the leader just tell me that his approach of spending over \$40 billion of the money we didn't have and putting it in the hands of the less wealthy, as I think he would have said, didn't he tell us that that was creating jobs? It didn't. It produced 100,000 less jobs than we had.

I only have a few more minutes and I'll save some of these rather interesting comments for perhaps another debate item. But I want to touch on a comment that was made by the member for Scarborough-Agincourt, who I believe was referring to his time in the private sector before he became a member of this House, and he said that he believed it was appropriate to, I think he said the words, "put his house on the line" to invest in the creation of jobs. But this is the same member who tells us we shouldn't invest in lowering the tax base of this province, the provincial income tax of this province, to create jobs. Those are two completely inconsistent views, and that is not appropriate.

We are investing in the people of this province by providing the businesses of this world with an opportunity to grow. That's why we're lowering the tax base. That's why we're giving the opportunity of workers to get jobs, long-term jobs, jobs created by the private

sector—not the public sector, the private sector, because public sector jobs are there only when the public sector money is there. As soon as the public sector money is gone, the jobs are gone. We want permanent jobs, we want jobs that are there for my children, my children's children.

We want to return this province to economic prosperity, and the only way we're going to do that is the balanced approach we laid out to the people of this province on June 8 and they accepted, the balanced approach of lowering government expenditure, getting the government out of their pockets and giving them tax breaks to help us pay for that reduction in expenditure. That's how we are going to get Ontario working again.

As I have only 40 seconds left, the other comment I want to make is that many of my colleagues over on the opposition side have been talking about the trickle-down theory and that they don't believe the trickle-down theory works. Well, for the last 10 years the trickle-up theory has been a failure. They've tried to trickle up money. It's not worked and it's been borrowed money. We can't afford it. We've got to stop that now. That's what we are doing for this government. We are going to return economic prosperity to the province of Ontario, and that means jobs.

1730

Mr Mario Sergio (Yorkview): I am very pleased to rise and add my voice on this particular resolution and, yes, I'd like to speak in support of it. How can we not support any particular piece of legislation that is hopefully going to go through the House here when it speaks about creating jobs and getting our people back to work?

"The agenda is already clear, and it might suffice to say simply, 'Your government is doing what it said it would do, and it will continue.'" I'm reading from the speech from the throne, which is nothing more than the speech prepared by the government as to what they are proposing to do. I am reading from the front page of that particular speech from the throne and it says, first line of the Common Sense Revolution, which is incorporated in the speech from the throne: "People want jobs—for this generation and the next."

The resolution as presented by the leader of the third party says, when are we going to start creating these 720,000 proposed jobs? If we don't start today, the jobs are not going to be there for the people of tomorrow.

We hear a lot about common sense and fairness in every proposal coming from the government side. For example, on page 6 of the so-called Common Sense Revolution, it speaks of "Fair Share." That is indeed the health care system. Well, my goodness, we have seen how much fairness has been coming from the other side with respect to health care for the needy people in our province.

Mr Tony Ruprecht (Parkdale): Not much.

Mr Sergio: Not a heck of a lot.

On the second page of this particular document, again prepared for and on behalf of the government, it says, "We want every Ontarian to have a fair chance at a productive, independent life." I am sure that they didn't

mean to put people out of work, to lose their houses, to lose whatever assistance they had in assisting their kids so they can go to work, if they still had a job.

To every member of the House, how are we going to give our people a chance to be productive when they are on the brink of losing their respective jobs? Indeed, to be fair to the government, they are creating a lot of jobs, but not in Ontario. They are creating a lot of jobs south of the border. They are creating a lot of jobs in the Pacific Rim. They are creating jobs even in European countries. They are creating jobs even in Argentina, in Brazil and in many other parts of the world, including in Alberta.

If the atmosphere in which this government portrays the economic situation here in Ontario to employers is so good, so attractive, how come companies that are relocating from one part of the country to another, none of them comes to settle in Ontario?

Mr Pouliot: You got to market the right stuff.

Mr Sergio: Absolutely, and marketing it means giving the people, giving the workers exactly what produces jobs, and that is long-term jobs. We may say, why not in Ontario? It is because employers—and we see it on a daily basis, on a recurring basis. For every job that is being created—and I should say that this trickles down from the effects of programs that are coming from the federal government—it runs one to four or four to one; it depends which way they like to see it.

So the fact is that—and I have to say this—the previous government didn't listen to the good advice of the Liberal side when we were saying, "You can't spend your way out of this particular situation"—depression, oppression, whatever we call it.

This government, unfortunately, is not listening either. They are saying, "We had one side that was spending their way out and we're going to cut our way out." But the unfortunate situation is that while we are making it so good, with a totally attractive proposal for the employers, big companies, this is what's happening in our market today: We are seeing, on a continuous basis, amalgamation, which means less employees and more money. We are seeing diversification, which means people are not staying here in Ontario and diversifying but are going to other parts of the country where they make it very attractive and perhaps even less competitive than the way it is here today.

This is the reason we do not see the job creation that we were supposed to get here in Ontario. When our Premier says, "We're going to put people back to work," where are the jobs? Certainly not for the people in my riding, because on a daily basis I get lineups of people saying, "I want to work." You know what the sad thing is, members of the House? The very sad thing is that out there are a lot of people with a big heart and a big will who do want to work, who do want a job, and when I'm sitting across my desk in my office and people cry and say, "Just find me any job; I'll take anything."

Mr Ruprecht: Right, they say that.

Mr Sergio: Yes, they do say that. I have women and I have men—and I don't mean the 18-year-olds; they're 25, 54, there's a big mix out there. They say: "I don't

want to be on the line of the unemployed people. I don't want to collect welfare. I'm ashamed. I feel good. I'm strong. I want a job. So I beg of you, find me a job."

This is how we are treating our people? Is this what we're giving back our people? My goodness, since June 8 I haven't heard one line from the Premier saying how we are going to put our people back to work.

Mr John Gerretsen (Kingston and The Islands): No job creation.

Mr Sergio: No job creation. The only thing we have seen is cuts, cuts, cuts of programs, and no incentive whatsoever to open up the market.

It's very sad, because we have one excellent example. The minister providing social assistance to housing has said, "The program in existence doesn't work, so let the private people, let the builders provide affordable housing." How much affordable housing did the private sector provide? Not even one. They are doing exactly the same thing with jobs in Ontario.

I can see that my time has run out. I would like to go on, but I'll give my colleague here a chance.

1740

Mr Ruprecht: I want to congratulate my friend, but at the same time I'm somewhat surprised at our friends from the NDP when I look at this resolution. That they of all people should introduce a resolution of this kind is almost unfathomable. Why? Let's look at the statistics.

An average of 1,000 people lost their jobs for every week the NDP was in power. Second, an average of 12,000 people went on welfare every month during the NDP's term of office. Over 450,000 people were out of work when Bob Rae left office, and guess what? Nearly 1.4 million people were on welfare when Bob Rae left office. And here we've got opposition day with this resolution. It takes some gall.

There's Mr Rae, who's just walked in. I'm very happy he's here today. But let's look at the situation, how it really is.

I want to congratulate them, to some degree. At least they've seen the light at the end of the tunnel, seen that their way of deficit spending and creating government jobs only has come to an end. Now they say, "We have not succeeded, after four and a half or five years, but now let's at least make sure that the Conservative Party is on the right track and that at least they will maintain and keep the promise."

What promise is that? We all remember throughout the election, which took a number of days, that Mike Harris indicated what he stood for. If you ask any Ontarian, they will tell you he stood for "jobs, jobs and more jobs."

My friends, let's look at the reality of the situation today. Is Mike Harris's government going to create the jobs? The way it looks right now, the tax benefits Mike Harris is going to propose and that everyone has to suffer for are going to come on the backs of those who need the government the most, namely, the poor.

To look at the reality of job creation, I can provide you with at least one example where the Conservatives have gone back to the old program and provide government jobs for security agents and security personnel. Why

is that? Let's provide just one example in my riding of Parkdale.

We've got the mental health centre there, right in the middle of Parkdale, and we've asked the government why it would want to create a forensic centre in the middle of a community that—

Mr Gerretsen: We'll take it. I've told you that before.

Mr Ruprecht: I'm happy that you want to take it, but why would you want to do that when everyone is totally opposed to it, when there is no good reason for it, when, furthermore, the whole community and the local members, including the NDP—we're together on this one—have said, "This forensic centre is of no use to us"? My colleague the member for Fort York—you might have already forgotten him, but he is still sitting in the back there—has said his own government did not even inform him when they decided to put the centre there. What is it really? It's a jail for the criminally insane.

What's going to happen here? If the forensic centre goes into the community, you've really displaced a lot of people who need ex-psychiatric treatment. You've displaced them, and now you're bringing in people from all over Ontario. It's true, because the catchment area of that centre goes into Peel. In other words, the catchment area will bring people to the centre, sucking them in from as far away as Peel, and will churn out the residents, churn out the patients and spew them out into the Parkdale community.

Is that a fair situation? Is that the way we want to hold office? Is this the way we want to create employment? Is that a new employment creation program?

I suggest to you no. It is not fair, it isn't right, and there's no justice to it. You can't take people from Peel and spit them into the streets of Parkdale, because we already have a ward without walls. That is not fair.

I'm standing here today and I'm saying to you and to the psychiatric community that you've got to find new models for this, because what you're doing is denigrating a whole area, destroying a whole community by doing it. There are other models for it. Come up with them. Don't ask the residents and us, as legislators, to come up with new models of how to treat psychiatric patients. My friends, I'm saying to you and in fact to all of Ontario that this is not the way to go about treating ex-psychiatric patients, because we know that the rate at which people go back into the centre is over 70%. Is that the way to run a business?

We've talked to the Minister of Health. What is his reply? "Well, let's look at it again." I'm saying to you today, since we're talking about job creation and since we're talking about job development, is this what the Conservative government wants to say, that the only way we're going to create jobs here is to create them for security agents and those who have to watch the criminally insane? How many jobs would that create? It's true, it will create about 15 jobs. Those are the jobs we do not seek.

We know, when we look today at how jobs are being created, that we simply cannot create the jobs on the

backs of the poor. I'm delighted that the Minister of Community and Social Services is right across here, attending today. I know he must take this somewhat seriously, that you cannot just cut into the bone. When you start cutting into the bone, you get to the point where the person is no longer able to develop skills in terms of aftercare services. For anyone looking for a job—we heard from our friend today that we've got people who are just coming out of high school, we've got them from universities, we've got some who have just lost their jobs, and they are saying to us today: "Find us any kind of job. Please, give me any job. I don't care what you do, but try to find me a job."

My NDP friends are smirking and laughing because they were indeed the ones who got us into this mess in the first place. That's true.

Applause.

Mr Ruprecht: Thank you very much; I appreciate that.

But you should understand that while we have seen the excesses of the ideologues of the left, we certainly cannot now buy into the excesses of the ideologues of the right, which they represent.

Interjections.

Mr Ruprecht: It surely hits home because you know the situation.

As to what is being proposed today, we say yes, the Bob Rae crowd is on to something very interesting. They've identified, finally, that their ways are not working and they will push the Conservatives into a job-creating program. At least it will make you people understand that the way you are going about it now is not going to create the jobs. That is not the way. It cannot work and it will not work. When we are looking at it in detail, I think we would thank the NDP, actually, for bringing this forth, because it isn't going to work.

On the other hand, let's look at the Liberal perspective, because it creates the middle ground. It is realistic. It is not ideological. That is why I am delighted today to participate in this motion. We have made some proposals for a number of years, and I'm very happy indeed to see that the way we're going to propose job creation for Ontario certainly is going to be better, no doubt about it, much better than those of the far left and those of the far right. I know Ontarians today will look at the proposals of the NDP—

The Speaker: The member's time has expired.
1750

Mr Tony Silipo (Dovercourt): I'm glad to have the chance to conclude debate today on this important motion that we've placed before the House.

We've done it because we think it's important that from time to time we bring some focus in this Legislature on one of the areas that we believe ought to be a primary responsibility of this government, which is to create jobs. It's something they certainly set out as one of the primary promises they made in the election and it's something we intend to continue to remind them of and to hold them to that responsibility.

We've heard a lot this afternoon. I just want to highlight a couple of points, starting with what is in fact this government's attitude and approach towards creating jobs. When you strip it all away, it's pretty clear to us that underlying the approach taken by this Conservative government really is their 30% tax cut. They seem to fundamentally believe that through the tax cuts they will create jobs, and we take great issue with that.

We take great issue because by virtue of having to get to the tax cuts, they are going to have to cut billions of dollars in spending—\$4 billion in their calculation; we think closer to \$6 billion, but we will see—and dismantle service after service in this province, and that will wreak havoc on the social fabric of this province. But more than that, it will not create the jobs. As has been found in jurisdiction after jurisdiction, you cannot create jobs through the trickle-down economic theory that this government has adopted, simply providing tax cuts to the wealthiest among our citizens and hoping or praying or thinking that that, in and of itself, is going to create the jobs.

This government couples that attitude with an approach that says they believe that basically they need to get out of the business of governing. They're doing that by proceeding to privatize service after service, by deregulating service after service, by basically trying to get us to a survival-of-the-fittest mode. But it is equally dangerous to abandon that historical role of government.

Not that the government should try to do everything. They try to create through their continuing crisis myths that there is a crisis here and a crisis there and that we on this side of the House say that the government has to do everything. It's convenient for them to create that atmosphere and then say: "No, we're moving away from that. We have to cut here and cut there." What they are forgetting is the kind of Ontario we have built up, not just through the time that we as New Democrats were in government, or indeed during the time that the Liberals were in government, but through decade after decade. The kind of Ontario we've built in this province is exactly the kind of Ontario I heard the Minister of Economic Development and Trade describe when he spoke publicly a couple of weeks ago.

He talked about Ontario as a good place to live in and a good place to invest in. That didn't happen by accident. That happened because government after government, including and particularly the Conservative governments of Bill Davis and his predecessors, recognized that government has a role to play in creating an atmosphere for business to invest, but also in taking the steps, when necessary, to invest directly, whether that's in training programs that put people back to work or in the infrastructure programs that create the services we need, create the infrastructure we need in this province and also create the jobs.

That is what is under threat by this government, because when all is said and done with respect to the tax cut, which I remind people is continuing to drive the agenda of this government, what we will have left in this province is an Ontario that is much meaner than the one we know today, an Ontario in which the disparity between those who are better off and those who are not

as well off is going to be greater than it is today. We know, in looking at jurisdiction after jurisdiction, that when that happens you break down the fabric of a good society, you break down the fabric of a healthy society and, directly and indirectly, you make Ontario not such a good place to invest in. It all keeps coming back to this issue of jobs, to this issue of quality of life, to the question of the kind of Ontario that we want to see for ourselves today and for our children tomorrow.

We have put this resolution in front of this Legislature today because we believe very fundamentally in restoring job creation programs as being a legitimate role of government. We believe in a balanced and responsible approach to economic development and deficit reduction, one that says, yes, there is a deficit problem—there isn't a crisis, there is a problem—that has to be dealt with. It can be dealt with over time.

We call upon this government to come to its senses, to undo the irresponsible cuts that it has begun and to stop while it still has time. We will continue to do our job of reminding this government and reminding the people of this province about the kind of Ontario that we live in today and the kind of Ontario that we want to protect for our children tomorrow.

The Speaker: Mr Rae has moved opposition day motion number 3. Is it the pleasure of the House that the motion carry?

Those in favour, say "aye."

Those opposed, say "nay."

In my opinion, the nays have it.

Call in the members. There will be a five-minute bell.

The division bells rang from 1756 to 1801.

The Speaker: Order. Would the members take their seats, please.

All those in favour of Mr Rae's motion will please rise one at a time.

Ayes

Bartolucci, Rick	Gravelle, Michael	Phillips, Gerry
Bisson, Gilles	Hampton, Howard	Pouliot, Gilles
Boyd, Marion	Kwinter, Monte	Rae, Bob
Bradley, James J.	Lalonde, Jean-Marc	Ruprecht, Tony
Churley, Marilyn	Marchese, Rosario	Sergio, Mario
Cooke, David S.	Martel, Shelley	Silipo, Tony
Curling, Alvin	Martin, Tony	Wildman, Bud
Duncan, Dwight	Miclash, Frank	Wood, Len
Gerretsen, John	Morin, Gilles E.	
Grandmaitre, Bernard	Patten, Richard	

The Speaker: All those opposed will please rise.

Nays

Baird, John R.	Hodgson, Chris	Runciman, Bob
Bassett, Isabel	Hudak, Tim	Sampson, Rob
Beaubien, Marcel	Johnson, Bert	Saunderson, William
Boushy, Dave	Johnson, David	Shea, Derwyn
Brown, Jim	Kells, Morley	Sheehan, Frank
Carroll, Jack	Klees, Frank	Smith, Bruce
Chudleigh, Ted	Leach, Al	Snobelen, John
Clement, Tony	Leadston, Gary L.	Spina, Joseph

Eves, Ernie L.	Marland, Margaret	Sterling, Norman W.
Flaherty, Jim	Maves, Bart	Stewart, R. Gary
Ford, Douglas B.	Munro, Julia	Tascona, Joseph N.
Galt, Doug	Mushinski, Marilyn	Tsubouchi, David H.
Gilchrist, Steve	Newman, Dan	Turnbull, David
Grimmett, Bill	O'Toole, John	Vankoughnet, Bill
Guzzo, Garry J.	Palladini, Al	Wood, Bob
Hardeman, Ernie	Parker, John L.	Young, Terence H.
Harnick, Charles	Preston, Peter	
Hastings, John	Rollins, E.J. Douglas	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 28; the nays, 52.

The Speaker: I declare the motion lost.

TIMMINS AND DISTRICT HOSPITAL

The Speaker (Hon Allan K. McLean): Pursuant to standing order 34, the question that this House do now adjourn is deemed to have been made.

The member for Cochrane South has given notice of dissatisfaction with an answer to a question given today by the Minister of Health. The member has up to five minutes to debate the matter, and the minister or the parliamentary assistant may reply for up to five minutes.

Mr Gilles Bisson (Cochrane South): By way of explanation of the question to the parliamentary assistant, as I'm sure he's not as up to snuff on this issue as he should be, I just want to give you a little bit of the history of what's happening here. Back in the mid-1980s, the Porcupine General Hospital and the Timmins and District Hospital agreed to merge together into one organization now called the Timmins and District Hospital. The basis of the agreement was that at the end of the day we would maintain a site out in South Porcupine where now we have the continuing care centre.

Over a period of time, as all hospitals across this province have had to do, the Timmins and District Hospital has had to make sure that it balanced its operating budget from year to year and to operate its hospital within the given existing budget that it has within the Timmins and District Hospital. So what has happened over the past few years, quite frankly, is that the Timmins and District Hospital has been doing its job. It has made sure, by working with its employees, by working with the Ministry of Health, by working with its staff and all people involved, that it finds every possible way to be able to create efficiencies within the Timmins and District Hospital in order to maintain the services that the people of Cochrane need within their hospital system.

We are now brought to this particular year, and what's happening is that the Timmins and District Hospital finds that next year they may be in a position of having to lose up to about \$800,000 as to where they find themselves in the budget next year. So the question is simply this: As I'm saying, there are a couple of options that the ministry can follow. We had agreed as a government to say to the hospital, "If you operate yourself as efficiently as possible and keep your operating budget balanced, we would be prepared to take a look at one of three things or a combination of three things to be able to make sure that we provide the services to the people of Timmins."

The first one is, ensure that all people in the district of Cochrane within the hospital systems utilize the Timmins and District Hospital as the referral hospital. That would allow some money to go to the hospital to be able to balance its budget over a longer period of time.

The second issue we had looked at was a possibility of going to what's called the system-wide review, to take a look at the nine hospitals within the district of Cochrane in order to see how they work together as a hospital system and ensure that the money is evenly spread through the entirety of the hospitals so that no one hospital is in a deficit situation, because the issue is, there's enough money in the envelope to fund the nine hospitals; the problem is, the money is not evenly spread within those hospital systems.

That's where we find ourselves, and what has now happened is that the hospital board, through work that they've been doing over the past little while, along with the district health council and the work that they've done, have come to the conclusion that your ministry and this government are not prepared to look at various options of making sure that the people within the Cochrane district are utilizing the TDH when it comes to referrals from other hospitals and, secondly, to take a look at a system-wide review, and it is forcing the hand of the Timmins and District Hospital to close down the site of the South Porcupine area in regard to the continuing care centre and to transfer those beds into the Timmins and District Hospital.

I don't need to say to you, Parliamentary Assistant, that the closure of any institution in the community is a very, very difficult situation for people to deal with, because you're talking about people who have fund-raised over periods of years and patterns have been set about how they access their hospital.

People in my community, particularly in South Porcupine, are angry as heck at being put in the position of being told at the ninth hour: "Boom, this is it. Your hospital's closing down and we're having to transfer those services up to TDH."

So my question is twofold: I'm asking, first of all, that the ministry commit today to giving the amount of time that is necessary for the local people in the community of Timmins, with their hospital boards, to see if there are other opportunities.

One of the things that can be done—they could take a look at the possibility of extending the social contract in a way that would preserve the continuing care centre. That's something that I understand some of the employees are prepared to do. If that is not an option, if they're not able to come up with the savings on this, we're asking at the very least to do the following things. You said in the Common Sense Revolution, and I quote out of page 7:

"We will not cut health care spending. It's far too important. And frankly, as we all get older, we are going to need it more and more.

"Under this plan, health care spending will be guaranteed."

We ask, if you're not going to give the people of the community of Timmins the opportunity to go through to find other ways, short of closing the continuing care centre, that you at least maintain your commitment in the Common Sense Revolution and guarantee us that you're not going to cut funding of the Timmins and District Hospital next year, in light of the decisions they've had to make this year, because quite frankly you would be penalizing a board in the community for having done its job responsibly. So the question is, will you give them the time necessary in order to be able to come to an

arrangement other than what is being proposed, or at the very least commit to the funding next year so they're not forced to close down that facility altogether or reduce services?

The Speaker: Thank you very much. Is there any response? Seeing none, and there being no further matter to debate, I deem the motion to adjourn to be carried. This House stands adjourned till 1:30 of the clock tomorrow.

The House adjourned at 1809.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Lt Col The Hon / L'hon Henry N.R. Jackman CM, KStJ, BA, LLB, LLD

Speaker / Président: Hon / L'hon Allan K. McLean

Clerk / Greffier: Claude L. DesRosiers

Senior Clerk Assistant and Clerk of Journals / Greffier adjoint principal et Greffier des journaux: Alex D. McFedries

Clerk Assistant and Clerk of Committees / Greffière adjointe et Greffière des comités: Deborah Deller

Sergeant at Arms / Sergent d'armes: Thomas Stelling

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma	Wildman, Bud (ND)	Hastings-Peterborough	Danford, Harry (PC)
Algoma-Manitoulin	Brown, Michael A. (L)	High Park-Swansea	Shea, Derwyn (PC)
Beaches-Woodbine	Lankin, Frances (ND)	Huron	Johns, Helen (PC)
Brampton North / -Nord	Spina, Joseph (PC)	Kenora	Miclash, Frank (L)
Brampton South / -Sud	Clement, Tony (PC)	Kingston and The Islands / Kingston et Les Îles	Gerretsen, John (L)
Brant-Haldimand	Preston, Peter L. (PC)	Kitchener	Wettlaufer, Wayne (PC)
Brantford	Johnson, Ron (PC)	Kitchener-Wilmot	Leadston, Gary L. (PC)
Bruce	Fisher, Barb (PC)	Lake Nipigon / Lac-Nipigon	Pouliot, Gilles (ND)
Burlington South / -Sud	Jackson, Hon / L'hon Cameron (PC) Minister without Portfolio (Workers' Compensation Board) / ministre sans portefeuille, ministre responsable de la Commission des accidents du travail	Lambton	Beaubien, Marcel (PC)
Cambridge	Martiniuk, Gerry (PC)	Lanark-Renfrew	Jordan, Leo (PC)
Carleton	Sterling, Hon / L'hon Norman W. (PC) Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce	Lawrence	Cordiano, Joseph (L)
Carleton East / -Est	Morin, Gilles E. (L)	Leeds-Grenville	Runciman, Hon / L'hon Robert W. (PC) Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels
Chatham-Kent	Carroll, Jack (PC)	Lincoln	Sheehan, Frank (PC)
Cochrane North / -Nord	Wood, Len (ND)	London Centre / -Centre	Boyd, Marion (ND)
Cochrane South / -Sud	Bisson, Gilles (ND)	London North / -Nord	Cunningham, Hon / L'hon Dianne (PC) Minister of Intergovernmental Affairs, ministre responsable for women's issues / ministre des Affaires intergouvernementales, ministre déléguée à la Condition féminine
Cornwall	Cleary, John C. (L)	London South / -Sud	Wood, Bob (PC)
Don Mills	Johnson, Hon / L'hon David (PC) Chair of the Management Board of Cabinet / président du Conseil de gestion	Markham	Tsubouchi, Hon / L'hon David H. (PC) Minister of Community and Social Services / ministre des Services sociaux et communautaires
Dovercourt	Silipo, Tony (ND)	Middlesex	Smith, Bruce (PC)
Downsview	Castrilli, Annamarie (L)	Mississauga East / -Est	DeFaria, Carl (PC)
Dufferin-Peel	Tilson, David (PC)	Mississauga North / -Nord	Snobelen, Hon / L'hon John (PC) Minister of Education and Training / ministère de l'Éducation et de la Formation
Durham Centre / -Centre	Flaherty, Jim (PC)	Mississauga South / -Sud	Marland, Margaret (PC)
Durham East / -Est	O'Toole, John R. (PC)	Mississauga West / -Ouest	Sampson, Rob (PC)
Durham West / -Ouest	Ecker, Janet (PC)	Muskoka-Georgian Bay / Muskoka-Baie-Georgienne	Grimmett, Bill (PC)
Durham-York	Munro, Julia (PC)	Nepean	Baird, John R. (PC)
Eglinton	Saunderson, Hon / L'hon William (PC) Minister of Economic Development, Trade and Tourism / ministre du Développement économique, du Commerce et du Tourisme	Niagara Falls	Maves, Bart (PC)
Elgin	North, Peter (Ind)	Niagara South / -Sud	Hudak, Tim (PC)
Essex-Kent	Hoy, Pat (L)	Nickel Belt	Laughren, Floyd (ND)
Essex South / -Sud	Crozier, Bruce (L)	Nipissing	Harris, Hon / L'hon Michael D. (PC) Premier and President of the Executive Council / premier ministre et président du Conseil exécutif
Etobicoke-Humber	Ford, Douglas B. (PC)	Norfolk	Barrett, Toby (PC)
Etobicoke-Lakeshore	Kells, Morley (PC)	Northumberland	Galt, Doug (PC)
Etobicoke-Rexdale	Hastings, John (PC)	Oakville South / -Sud	Carr, Gary (PC)
Etobicoke West / -Ouest	Stockwell, Chris (PC)	Oakwood	Colle, Mike (L)
Fort William	McLeod, Lyn (L) Leader of the Opposition / chef de l'opposition	Oriole	Caplan, Elinor (L)
Fort York	Marchese, Rosario (ND)	Oshawa	Ouellette, Jerry J. (PC)
Frontenac-Addington	Vankoughnet, Bill (PC)	Ottawa Centre / -Centre	Patten, Richard (L)
Grey-Owen Sound	Murdoch, Bill (PC)	Ottawa East / -Est	Grandmaître, Bernard (L)
Guelph	Elliott, Hon / L'hon Brenda (PC) Minister of Environment and Energy / ministre de l'Environnement et de l'Énergie	Ottawa-Rideau	Guzzo, Garry J. (PC)
Halton Centre / -Centre	Young, Terence H. (PC)	Ottawa South / -Sud	McGuinty, Dalton (L)
Halton North / -Nord	Chudleigh, Ted (PC)	Ottawa West / -Ouest	Chiarelli, Robert (L)
Hamilton Centre / -Centre	Christopherson, David (ND)	Oxford	Hardeman, Ernie (PC)
Hamilton East / -Est	Agostino, Dominic (L)	Parkdale	Ruprecht, Tony (L)
Hamilton Mountain	Pettit, Trevor (PC)		
Hamilton West / -Ouest	Ross, Lillian (PC)		

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Parry Sound	Eves, Hon / L'hon Ernie L. (PC) Deputy Premier, Minister of Finance, government House leader / vice-premier ministre, ministre des Finances, leader parlementaire du gouvernement	Scarborough North / -Nord	Curling, Alvin (L)
Perth	Johnson, Bert (PC)	Scarborough West / -Ouest	Brown, Jim (PC)
Peterborough	Stewart, R. Gary (PC)	Simcoe Centre / -Centre	Tascona, Joseph N. (PC)
Port Arthur	Gravelle, Michael (L)	Simcoe East / -Est	McLean, Hon / L'hon Allan K. (PC) Speaker / Président
Prescott and Russell / Prescott et Russell	Lalonde, Jean-Marc (L)	Simcoe West / -Ouest	Wilson, Hon / L'hon Jim (PC) Minister of Health / ministre de la Santé
Prince Edward-Lennox- South Hastings / Prince Edward-Lennox- Hastings-Sud	Fox, Gary (PC)	Sudbury	Bartolucci, Rick (L)
Quinte	Rollins, E.J. Douglas (PC)	Sudbury East / -Est	Martel, Shelley (ND)
Rainy River	Hampton, Howard (ND)	Timiskaming	Ramsay, David (L)
Renfrew North / -Nord	Conway, Sean G. (L)	Victoria-Haliburton	Hodgson, Hon / L'hon Chris (PC) Minister of Natural Resources, Minister of Northern Development and Mines / ministre des Richesses naturelles, ministre du Développement du Nord et des Mines
Riverdale	Churley, Marilyn (ND)	Waterloo North / -Nord	Witmer, Hon / L'hon Elizabeth (PC) Minister of Labour / ministre du Travail
S-D-G & East Grenville / S-D-G et Grenville-Est	Villeneuve, Hon / L'hon Noble (PC) Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales, ministre délégué aux Affaires francophones	Welland-Thorold	Kormos, Peter (ND)
St Andrew-St Patrick	Bassett, Isabel (PC)	Wellington	Arnott, Ted (PC)
St Catharines	Bradley, James J. (L)	Wentworth East / -Est	Doyle, Ed (PC)
St Catharines-Brock	Froese, Tom (PC)	Wentworth North / -Nord	Skarica, Toni (PC)
St George-St David	Leach, Hon / L'hon Al (PC) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement	Willowdale	Harnick, Hon / L'hon Charles (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Sarnia	Boushy, Dave (PC)	Wilson Heights	Kwinter, Monte (L)
Sault Ste Marie / Sault-Sainte-Marie	Martin, Tony (ND)	Windsor-Riverside	Cooke, David S. (ND)
Scarborough-Agincourt	Phillips, Gerry (L)	Windsor-Sandwich	Pupatello, Sandra (L)
Scarborough Centre / -Centre	Newman, Dan (PC)	Windsor-Walkerville	Duncan, Dwight (L)
Scarborough East / -Est	Gilchrist, Steve (PC)	York Centre / -Centre	Palladini, Hon / L'hon Al (PC) Minister of Transportation / ministre des Transports
Scarborough-Ellesmere	Mushinski, Hon / L'hon Marilyn (PC) Minister of Citizenship, Culture and Recreation / ministre des Affaires civiques, de la Culture et des Loisirs	York East / -Est	Parker, John L. (PC)
		York Mills	Turnbull, David (PC)
		York-Mackenzie	Klees, Frank (PC)
		York South / -Sud	Rae, Bob (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
		Yorkview	Sergio, Mario (L)

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

**STANDING COMMITTEES OF THE LEGISLATIVE ASSEMBLY
COMITÉS PERMANENTS DE L'ASSEMBLÉE LÉGISLATIVE**

Administration of justice / Administration de la justice

Chair / Président: Gerry Martiniuk
Vice-Chair / Vice-Président: Ron Johnson
Marion Boyd, Robert Chiarelli, Sean G. Conway,
Ed Doyle, Garry J. Guzzo, Howard Hampton,
Tim Hudak, Ron Johnson, Frank Klees,
Gary L. Leadston, Gerry Martiniuk, John L. Parker,
David Ramsay, David Tilson
Clerk / Greffière: Donna Bryce

Estimates / Budgets des dépenses

Chair / Président: Alvin Curling
Vice-Chair / Vice-Président: Joseph Cordiano
Toby Barrett, Gilles Bisson, Jim Brown,
Michael A. Brown, John C. Cleary, Tony Clement,
Joseph Cordiano, Alvin Curling, Morley Kells,
Tony Martin, E.J. Douglas Rollins, Lillian Ross,
Frank Sheehan, Wayne Wettlaufer
Clerk / Greffière: Tannis Manikel

**Finance and economic affairs /
Finances et affaires économiques**

Chair / Président: Ted Chudleigh
Vice-Chair / Vice-Président: Tim Hudak
Ted Arnott, Jim Brown, Annamarie Castrilli,
Ted Chudleigh, Douglas B. Ford, Tim Hudak,
Frances Lankin, Monte Kwinter, Gerry Martiniuk,
Gerry Phillips, Rob Sampson, Tony Silipo,
Joseph Spina, Wayne Wettlaufer
Clerk / Greffier: Franco Carrozza

General government / Affaires gouvernementales

Chair / Président: Jack Carroll
Vice-Chair / Vice-Président: Bart Maves
Jack Carroll, Harry Danford, Jim Flaherty,
Bernard Grandmaître, Ernie Hardeman, Morley Kells,
Rosario Marchese, Bart Maves, Sandra Papatello,
Mario Sergio, R. Gary Stewart, Joseph N. Tascona,
Len Wood, Terence H. Young
Clerk / Greffière: Tonia Grannum

Government agencies / Organismes gouvernementaux

Chair / Président: Floyd Laughren
Vice-Chair / Vice-Président: Tony Martin
Rick Bartolucci, Bruce Crozier, Douglas B. Ford,
Gary Fox, Michael Gravelle, Bert Johnson, Peter Kormos,
Floyd Laughren, Gary L. Leadston, Tony Martin,
Dan Newman, Peter L. Preston, Lillian Ross, Bob Wood
Clerk / Greffière: Tannis Manikel

Legislative Assembly / Assemblée législative

Chair / Président: Ted Arnott
Vice-Chair / Vice-Président: John Hastings
Ted Arnott, Rick Bartolucci, Dave Boushy, David S. Cooke,
Carl DeFaria, Tom Froese, Bill Grimmett, John Hastings,
Ron Johnson, Frank Michalski, Gilles E. Morin,
John R. O'Toole, Tony Silipo, R. Gary Stewart
Clerk / Greffière: Lisa Freedman

Ombudsman

Chair / Président: John L. Parker
Vice-Chair / Vice-Président: Tom Froese
Elinor Caplan, Carl DeFaria, Ed Doyle, Barbara Fisher,
Tom Froese, Doug Galt, Pat Hoy, Leo Jordan,
Jean-Marc Lalonde, Rosario Marchese, John L. Parker,
Chris Stockwell, Bill Vankoughnet, Len Wood
Clerk / Greffier: Todd Decker

Public accounts / Comptes publics

Chair / Président: Dalton McGuinty
Vice-Chair / Vice-Président: Mike Colle
Dominic Agostino, Marcel Beaubien, Dave Boushy,
Gary Carr, Mike Colle, Bruce Crozier, Gary Fox,
Steve Gilchrist, John Hastings, Shelley Martel,
Dalton McGuinty, Gilles Pouliot, Toni Skarica,
Bill Vankoughnet
Clerk / Greffier: Todd Decker

**Regulations and private bills /
Règlements et projets de loi privés**

Chair / Président: Toby Barrett
Vice-Chair / Vice-Président: Bruce Smith
Toby Barrett, Gilles Bisson, Dave Boushy, John Hastings,
John R. O'Toole, Trevor Pettit, Gilles Pouliot,
Sandra Papatello, E.J. Douglas Rollins, Tony Ruprecht,
Mario Sergio, Derwyn Shea, Frank Sheehan, Bruce Smith
Clerk / Greffière: Lisa Freedman

**Resources development /
Développement des ressources**

Chair / Président: Steve Gilchrist
Vice-Chair / Vice-Présidente: Barbara Fisher
John R. Baird, Jack Carroll, David Christopherson,
Ted Chudleigh, Marilyn Churley, Dwight Duncan,
Barbara Fisher, Steve Gilchrist, Pat Hoy,
Jean-Marc Lalonde, Bart Maves, Bill Murdoch,
Jerry J. Ouellette, Joseph N. Tascona
Clerk / Greffier: Douglas Arnott

Social development / Affaires sociales

Chair / Président: Richard Patten
Vice-Chair / Vice-Président: John Gerretsen
Dominic Agostino, Janet Ecker, John Gerretsen,
Michael Gravelle, Helen Johns, Leo Jordan,
Floyd Laughren, Julia Munro, Dan Newman,
Richard Patten, Trevor Pettit, Peter L. Preston,
Bruce Smith, Bud Wildman
Clerk / Greffière: Lynn Mellor

CONTENTS

Tuesday 21 November 1995

MEMBERS' STATEMENTS

Highway safety	
Mr Miclash	899
Minister's comments	
Ms Churley	899
Gary Herrema	
Mr Flaherty	899
Minister of Municipal Affairs and Housing	
Mr Curling	899
Junior kindergarten	
Mr Kormos	900
Ed Regier	
Mr Froese	900
Child care	
Mrs Papatello	900
Youth employment programs	
Mr Marchese	901
Red Ribbon Campaign	
Mr Tilson	901

STATEMENTS BY THE MINISTRY AND RESPONSES

College of teachers	
Mr Snobelen	901
Mr Patten	902
Mr Miclash	902
Mr Bradley	902
Mr Wildman	903
Mr Cooke	903

ORAL QUESTIONS

Health care funding	
Mrs McLeod	903
Mr Wilson	903
Education financing	
Mrs McLeod	904
Mr Snobelen	905
Closure of colleges and universities	
Mr Rae	905
Mr Snobelen	906
Job creation	
Mr Rae	906
Mr Saunderson	906
Junior kindergarten	
Mr Patten	907
Mr Snobelen	907, 911
Mr Wildman	911

Social assistance for disabled children

Mr Cooke	908
Mr Tsubouchi	908

Occupational health and safety

Mr Ford	908
Mrs Witmer	908

Correctional facility employees

Mr Ramsay	909
Mr Runciman	909

Timmins and District Hospital

Mr Bisson	909
Mr Wilson	909

Young offenders

Mr Tascona	910
Mr Runciman	910

Satellite gaming

Mr Crozier	910
Mr Sterling	910

Workers' Compensation Board

Mr Beaubien	911
Mr Jackson	911

PETITIONS

Queen Street Mental Health Centre

Mr Ruprecht	912
-----------------------	-----

Minister's comments

Ms Churley	912
----------------------	-----

Hospital restructuring

Mr Colle	912
--------------------	-----

Child care

Mr Marchese	912
Mr Grandmaître	913
Mr Gravelle	913

Support for police officer

Mr Cleary	912
---------------------	-----

Hospital restructuring

Mr Kwinter	913
----------------------	-----

Fiscal responsibility

Mr Doyle	913
--------------------	-----

College of teachers

Mr Agostino	913
-----------------------	-----

Highway safety

Mr Miclash	913
Mr Ramsay	914
Mr Gravelle	914

Labour legislation

Mr Crozier	914
----------------------	-----

Community-based justice options

Mr Lalonde	914
----------------------	-----

Seaway Valley Farmers' Energy

Co-operative

Mr Cleary	914
---------------------	-----

OPPOSITION DAY

Fiscal responsibility, opposition day

motion number 3, <i>Mr Rae</i> ,	
Mr Rae	915
Mr Saunderson	918
Mr Phillips	919
Mr Marchese	920
Mr Grimmett	921
Mr Duncan	922
Mr Hampton	923
Mr Chudleigh	924
Mr Patten	926
Mr Pouliot	927
Mr Hudak	928
Mr Curling	929
Mr Sampson	930
Mr Sergio	931
Mr Ruprecht	932
Mr Silipo	933
Negated	935

ADJOURNMENT DEBATE

Timmins and District Hospital

Mr Bisson	935
---------------------	-----

OTHER BUSINESS

Parliamentary procedure

The Speaker	901
-----------------------	-----

Notice of dissatisfaction

Mr Bisson	912
The Speaker	914

TABLE DES MATIÈRES

Mardi 21 novembre 1995

QUESTIONS ORALES

Fermeture de collèges et universités

M. Rae	905
------------------	-----



N° 28

No. 28

ISSN 1180-2987

**Legislative Assembly
of Ontario**

First Session, 36th Parliament

**Assemblée législative
de l'Ontario**

Première session, 36^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Wednesday 22 November 1995

Mercredi 22 novembre 1995



Speaker
Honourable Allan K. McLean

Président
L'honorable Allan K. McLean

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

Hansard on your computer

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. For a brochure describing the service, call 416-325-3942.

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-7411.

Subscriptions

Subscription information may be obtained from: Sessional Subscription Service, Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur votre ordinateur

Le Journal des débats et d'autres documents de l'Assemblée législative pourront paraître sur l'écran de votre ordinateur personnel en quelques heures seulement après la séance. Pour obtenir une brochure décrivant le service, téléphoner au 416-325-3942.

Renseignements sur l'Index

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-7411.

Abonnements

Pour les abonnements, veuillez prendre contact avec le Service d'abonnement parlementaire, Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311 ou, sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 22 November 1995

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 22 novembre 1995

The House met at 1331.

Prayers.

MEMBERS' STATEMENTS

VEHICLE SAFETY

Mr Mike Colle (Oakwood): Earlier today, a press conference was held to ask for immediate, concrete action to ensure truck safety on our highways without further delay and deferral to studies taking place.

The families of the victims of these tragic accidents caused by unsafe trucks were present, including the Worona family. Mr and Mrs Worona and the sisters of Angela Worona are here today in the gallery. This family, along with other families, has worked most diligently to ensure that this government take action to stop this plague on our highways.

Theresa Worona and her family have had to endure through this most difficult of times and have devoted countless hours to ensure that the loss of their loved one does not go in vain. Today, they presented a petition of over 30,000 signatures demanding that this government stop the plague of unsafe trucks on our highways.

It is imperative that this government act on the 31 recommendations of the coroner's jury and take immediate action to take unsafe trucks off our public highways. The coroner's inquest, the front-line OPP officers and the families of the victims are all in unanimous agreement that the existing fines are a joke and that the government cannot wait for six months or a year to act and implement significant increases to these fines for unsafe trucks.

Too many lives have been lost due to truck operators who do not comply with safety standards. The Minister of Transportation in this government must live up to the commitment he made to these families and to the citizens of the province.

ARTISTS' HOUSING

Mr Rosario Marchese (Fort York): I'm standing to tell you a happy story, one that could not happen without government help. Last Wednesday evening, Mayor Barbara Hall and I had the pleasure of opening a new artists' live-work project in my riding.

A modest public investment of \$50 a square foot has transformed an underutilized industrial building located on Queen Street West into housing for artists. This project will set the standard for industrial conversions for the foreseeable future. Its financial and aesthetic success has already triggered private investment in another building across the street for expensive loft apartments.

A local resident commented how wonderful it was to see lights in the window and to have new neighbours. Everyone there marvelled at the miracle of having a happy occasion to go to in these hard times. We met painters, sculptors, dancers and potters. Each person I

spoke to told stories of their struggles to find accommodation in the downtown, where they need to be.

Whatever the private market may be able to do, it has never been able to deliver decent housing that artists can afford. Illegal loft living often ends in midnight evictions, and when the city legalizes lofts, artists end up priced out of the market.

Susan Wright of Artscape notes that there is a five-year waiting list for this project. I dread to think what accommodation those on the waiting list are in now. It is not news that it's artists who subsidize the arts. Artists are often the last to see the financial rewards of their work. Sadly, in the government's recent decision to leave housing entirely to the private sector, one of the groups left out in the cold is the artists.

TAX REDUCTION

Mr E.J. Douglas Rollins (Quinte): There are citizens in this province, many of whom are honourable colleagues who sit in opposition to this government, who lament the decision to lower provincial income tax.

We've been listening to the opposition's impassioned pleas on behalf of the poor and its attacks on the rich. We're all aware of the opposition's unsurpassed talent for generosity as long as it was other people's money. Previous governments put taxes higher in an effort to keep up with the soaring costs. Social assistance is no longer viewed by many as temporary aid. Many now view it as a right. Many speak of their assistance as a paycheck.

It is the belief of this government that individuals free from the encumbrance of big government can better provide for themselves. As individuals we show compassion by freely giving of our time and our resources. My honourable colleague Julia Munro has been given the task of promoting volunteerism. We want to give the people the opportunity to be more charitable.

What I would ask is for my honourable friends who sit in opposition in this chamber, for the newspaper editors, the columnists and the professional demonstrators, to put their money where their mouth is and give that money to charity.

EVERFRESH INC

Mr Dwight Duncan (Windsor-Walkerville): I rise today on a matter of great importance to my community. I would like to ask the Minister of Economic Development, Trade and Tourism if we can put aside partisan differences and agree that the government of Ontario has a role to play in maintaining jobs in Ontario.

The minister is no doubt aware of the Everfresh beverage situation in Windsor. More than 100 families in our city are anxious to have the Everfresh production plant stay open in Windsor.

Earlier this week, Everfresh in Windsor, as well as its parent company in the United States, was put into receivership. This morning it was reported that the company is seeking a buyer to help keep the plant operating. It's imperative that the minister recognize the gravity of this situation for the 100 employees and their families who will not have a job if we as a community do not do our best to find a buyer who will operate the plant.

The mayor of Windsor and the Windsor-Essex County Development Commission are working with me to try and find a buyer to preserve these jobs. We invite the minister to join our team to help find a practical solution to this most difficult situation.

I ask the minister, will he please direct senior officials to meet with owners of Everfresh as well as our mayor and the development commission to see what role the government of Ontario can play to help find a buyer for this plant and keep our fellow citizens working?

TIMMINS AND DISTRICT HOSPITAL

Mr Gilles Bisson (Cochrane South): Yesterday, I asked a question of the Minister of Health in regard to the continuing care centre in Timmins that is slated for closure as the provincial government is unable to top up the Timmins and District Hospital in regard to their base budget that would allow the TDH to be able to keep their doors open.

I asked the minister to commit to basically what had been committed to under the Common Sense Revolution. I said to the minister, "At the very least, if you're unable to secure the funding, would you guarantee that you won't go into the budget of the TDH next year and reduce that hospital budget?"

The appeal I'm making to the minister, and I make it again through this statement, is that the Timmins and District Hospital has been working very hard over the past number of years to make sure that they turn out to be the most efficient hospital of their size in the health care system. They have done that and we should be rewarding the Timmins and District Hospital, not penalizing them for having made the decisions they've made up to now in order to make sure that they're able to operate an efficient hospital, and within budget.

The minister, for whatever reason, evaded the question in question period and I asked for a late show later on, which the minister did not even have the courtesy to attend, either himself or to send his parliamentary assistant, to respond to the people of Cochrane South and to keep their commitment in regard to the Common Sense Revolution. I want to remind the minister that it is in the Common Sense Revolution where you say, "Under this plan, health care spending will be guaranteed."

I ask the minister, for the people of Cochrane South and the people at TDH: Keep your commitment. Don't reduce the Timmins and District Hospital budget in your upcoming budget. Keep to your commitment in the Common Sense Revolution.

1340

BETTY DEE BLACK

Mr Dave Boushy (Sarnia): I wish to draw attention to a special lady in Sarnia who has shown how much one person's dedication can accomplish.

Betty Dee Black, a 62-year-old retired Sarnia hairdresser, concluded Walk '95 in Victoria, BC. She came back to Sarnia, a 6,759-kilometre walk across Canada to promote fitness, better nutrition and disease prevention.

Betty began her journey on March 1 with 42 Sarnia school children who took turns walking with her. She was also accompanied by her good friend Victor Fast. Betty spoke at dozens of schools during her walk. The children she spoke with will carry her message for a lifetime.

As an ambassador of good health, Betty has set a wonderful example. On a shoestring budget, much of it arrived at through collecting beer bottles on the side of roads, Betty has promoted Sarnia as the health conscience of Canada. I applaud Betty and the students as outstanding examples of Canadians who care enough about the future to get involved.

LAYOFFS

Mr James J. Bradley (St Catharines): The people of St Catharines in the Niagara region were shocked and distressed to hear the announcement of the Foster Wheeler Corp that the industrial boiler division in St Catharines will be closed and the operation moved to Dansville, New York.

During the initial months of the Conservative government in Ontario, it has been contended by the government that changes to social and labour legislation and regulation would result in business operations remaining and expanding in our province.

These changes, rushed through the Legislature, often with little debate and with inadequate public involvement, have not guaranteed the jobs of the people who are being laid off at Foster Wheeler, Court Industries and Kelsey-Hayes in St Catharines.

The promise of former Conservative Prime Minister Brian Mulroney that the free trade agreement he signed with the United States would bring prosperity to Canada rings hollow with the men and women at closing industrial and business operations in the Niagara Peninsula.

When I raised this issue with the Premier last Friday in the Legislature, he agreed to contact Foster Wheeler officials to determine if the provincial government could take any action that might reverse the company's decision. I hope this will be the case, but all indications so far give us little reason for optimism.

We must assist to the greatest extent possible those who are the victims of these plant closures in finding new jobs and new opportunities in our province and our community.

COMMON SENSE REVOLUTION

Mr Tony Martin (Sault Ste Marie): Mr Speaker, I rise today to seek direction from yourself or perhaps some other member of the House. I had a situation arise in my constituency office—never happened before—that left me speechless.

A constituent came in to lay a complaint against himself. He was really disappointed and disquieted with himself and wanted to lay an official complaint. Apparently, he voted for Mike Harris on June 8 and now he's wondering why he did that. What moment of insanity or total lack of common sense and normal good judgement

would bring him to do such a thing, he wanted to know. As a matter of fact, by the time we were finished, he was calling for a full-scale public inquiry of his actions.

In light of revelations in this House over the last couple of months, I thought maybe he had a point. Was he conned? Did he fall for the marketing plan of the Common Sense Revolution, developed with some significant assistance by a convicted fraud artist, one Mr Watt?

Mr Chris Stockwell (Etobicoke West): Can't your wife talk to you at home?

Mr Martin: Mr Speaker, have you or any other member of this House been approached with a similar request from a constituent? Perhaps we should be consulting to get to the bottom of this situation.

Mr Stockwell: My family voted for me.

Mr Martin: Could we have a full public review of my constituent's obvious lack of commonsense in light of what is now being inflicted upon him and his friends and his neighbours by this government across the way and by Mike Harris—and Chris Stockwell? Sinners re—

The Speaker (Hon Allan K. McLean): The member for Lanark-Renfrew.

SOCIAL ASSISTANCE

Mr Leo Jordan (Lanark-Renfrew): I would like to draw the attention of the members of this House to a November 15 Globe and Mail article. There are some people in the province who are concerned with the recent cuts to welfare rates in Ontario. Besides the fact Ontario is still 10% above the average of the other provinces, I would like to point out some other facts that have been overlooked.

According to University of Toronto professor Jack Carr, welfare rates for the non-disabled caseload have increased from 18% to 29% in Ontario since 1980. However, and I quote, "Since 1980 the average family income for all Ontarians has increased by only 2.5%." He also points out that real buying power has increased by 69% and the caseload has tripled.

This government is committed to breaking the cycle of dependency created by these higher rates. We are also providing the incentive for recipients to earn back the difference.

Many welfare recipients in Lanark-Renfrew have stopped by my office to say that they realize rates cannot continue at their present levels. My constituents fully endorse the real changes my government is making to the present system. They know that after 10 years of Liberal—

The Speaker (Hon Allan K. McLean): The member's time has expired.

STATEMENTS BY THE MINISTRY AND RESPONSES

PROCEEDS OF CRIME

Hon Bob Runciman (Solicitor General and Minister of Correctional Services): As I've stated previously in this Legislature, the need to focus on serious crime and crime prevention is paramount to the government's vision for Ontario's justice system. It's a vision that will restore balance, fairness and confidence in our justice system

while ensuring public safety and respect for victims of crime.

Towards this end, I'm pleased to announce today that Ontario has negotiated a memorandum of understanding with the federal government to share the proceeds of crime and reinvest those ill-gotten gains into our criminal justice system. This initiative will aid in dismantling criminal organizations by crippling their financial base.

Proceeds-of-crime investigations allow us to get at criminals' profits from theft, fraud and money laundering. Here's the kinds of examples that I'm talking about: Within the last year, as a result of a proceeds-of-crime investigation, \$450,000 in net valued property and vehicles were ordered by the court to be relinquished to the crown in Shelburne. Similarly, US\$1 million in bank assets was forfeited in Toronto just this month. Without proceeds-of-crime investigations, such moneys would still be in the hands of criminals.

These proceeds are funds that will be recouped from criminals and their illegal activities. Of course, stolen property or money belonging to law-abiding citizens will continue to be returned to rightful owners. However, the remaining assets will be allocated to justice initiatives in Ontario through the Ministry of the Solicitor General and Correctional Services and the Ministry of the Attorney General.

Proceeds of crime will be apportioned by the federal government based on the amount of investigation and/or prosecution involvement of participating jurisdictions. The funds will be transferred to Ontario annually for reinvestment into front-line law enforcement, crime prevention and related justice activities. By helping to support community-based crime prevention programs, these funds will also assist in preventing victimization.

A set of principles will guide the allocation of proceeds of crime. Funds will enhance local crime prevention and law enforcement initiatives. Proceeds of crime will not be used to offset current government operating budgets. A portion of the proceeds will also be used by the Ministry of the Attorney General to offset direct and administrative costs.

On behalf of my colleagues and the people of Ontario, I'm pleased to be bringing this important initiative before this House. It's an initiative that reflects this government's vision and values for Ontario's justice system. The government commitment to redirecting the proceeds of crime into law enforcement and crime prevention initiatives is a concrete example of how this government is rebalancing Ontario's justice system to better meet the needs of the law-abiding public. It demonstrates how partnerships and working together will help us meet the challenges of our justice system.

1350

Mr David Ramsay (Timiskaming): I'd like to say to the minister that while we over here in the Liberal caucus welcome his agreement between the Ontario government and the federal government in regard to proceeds from crime, I'm somewhat disappointed and I'm sure the others over here are disappointed that the minister didn't take this opportunity today to respond to my question of yesterday. I know he has other opportunities today, and we will certainly be looking forward to the first rotation

of government members' questions to give him that opportunity to respond to my question. I'm sure the minister will be going over his notes in preparation for that response.

But with regard to this memorandum of understanding between Ontario and the federal government, I certainly concur that the perception of the criminal justice system has been for quite a while, in this country and this province, that criminals do get away with much more than they ever should deserve and it's about time that we looked at this type of policy that the Americans have had in operation for years in their criminal justice jurisdictions right across the States.

We are all very much aware of especially the unfortunately lucrative drug trade in south Florida and other southern states coming from Latin American countries and the seizure by the FDA down there of boats and airplanes, and the subsequent sale by auction of those assets seized and the reinvestment of those funds into criminal investigations. It certainly is time that the criminal justice jurisdiction in this country got on board with that sort of attitude. I certainly wanted to, number one, reflect the comments of my colleague from St Catharines that we have to congratulate the federal government for working with the provincial government in making sure that happens.

I do have a couple of cautions that I would like to pass on to the minister about this. The first caution I would ask the minister to take a look at would be what the impact might be on municipal governments and municipal policing here. I see in his statement that he has said that funds will enhance local crime prevention and law enforcement initiatives. I would have to ask the minister, does that mean there will actually be transfers of moneys to municipalities or directly to municipal police departments? This would be a concern I have.

We all know that next week the Treasurer of the province of Ontario will have a rather severe budget statement that is going to mean cuts for probably all ministries in this government. With that, we're very afraid that law enforcement and policing would also suffer those cuts. Transfer payments and unconditional grants to municipalities are also probably going to be cut, and this is going to put severe strain on municipal policing. I would say to the minister that he should be an advocate for municipal police departments in this province and make sure that some of that money goes not just to OPP local investigations throughout the province but also to municipalities.

I also say to him that I think we have to be very careful that these moneys that will be gained from the sale of assets from the proceeds of crime do not just come into his department and the department of the Attorney General merely to offset the cuts he may be receiving from the Treasurer, but that they go in as additional moneys so we can enhance our law enforcement in Ontario, so we can embark upon more detailed and prolonged investigations to really start to get a handle on crime. We should look at these proceeds as additional moneys for policing in Ontario to do these investigations.

I ask the minister to go to bat with the Treasurer on behalf of justice and policing in Ontario to make sure that

these moneys aren't just used to offset the budget cuts but go towards policing so we can have a strong and vigorous criminal justice system in this province.

Mr James J. Bradley (St Catharines): CAVEAT, a group representing victims of crime, had a press conference here the other day where they gave the minister, unfortunately, an F in crime prevention.

I hope that some of the money coming back to the government would go not only to law enforcement in its narrowest sense but also to other preventive programs suggested by those individuals who are part of CAVEAT. They presented an excellent brief at their press conference. I know the minister has a copy of that brief, and I hope he takes into account some of the recommendations outside of the narrow purview of law enforcement, to apply those funds to them.

Now that the government will have this additional money coming in, it means they will free up some money so they'll be able to give approval for a magnetic resonance imager for St Catharines General Hospital.

Mrs Marion Boyd (London Centre): I too am pleased that the provincial government has managed to negotiate this agreement with the federal government. This means of getting at the ill-gotten gains is very good and I'm very pleased that an agreement has been reached. However, the details are rather sketchy in the minister's statement about how these funds will be shared with the jurisdictions that participate in the bringing of these criminals to justice. Certainly, it is a major concern of municipal police forces that they be seen to have often been major players in these criminal proceedings.

That concern has been expressed again and again by municipalities, by municipal police forces, by the provincial police, in terms of their share in joint investigations with the RCMP, particularly around drug matters. I notice that the minister in his statement talked about theft, fraud and money laundering, rather than straight proceeds from the drug trade. As he is well aware, municipal and provincial police forces are very frequently participants in the apprehension of criminals participating in illegal drug means. I would like some clarification from the minister at some point about whether those things are included in the agreement, and if so, to what extent that cost-sharing can be determined.

It's also important, as the members of the official opposition commented, that the proceeds of crime be seen to be directed at those victims' services, at the kind of special activities, particularly in crime prevention, that have got a great deal of attention of late. I would remind the minister that when our government set up the victim fine surcharge, we set it up as a separate account so that it could clearly be shown to be used for those purposes. I would suggest to the minister that might be a good way of assuring victims' groups and of assuring the—

That's great. The minister is nodding and saying that indeed he does expect that kind of accounting to come forward.

The national crime prevention strategy, which the federal government and the provincial governments devised together, requires some additional resources to centre on the prevention of crime, so it will be really important for our province to be a strong participant.

Crown attorneys in this province have been instructed to pursue the proceeds of crime as part of the outcomes of criminal cases and have been quite successful in doing that, so I'm glad to see that the Ministry of the Attorney General, in terms of its vigour of prosecution and pursuing proceeds of crime, is also going to have a part of the say in what goes on in this.

Finally, I would like to suggest to the minister that as this process goes forward, it's going to be important to give a regular progress report in order to bolster those citizens' groups most involved in crime prevention, groups like Neighbourhood Watch, Crime Stoppers and so on, which become very engaged in the prevention of crime and feel that they would like to be true partners of the Ministry of the Solicitor General and the Ministry of the Attorney General in the prevention of crime. Drawing them into this process as part of their participation will be a very important part of helping them to feel that they are being effective in their efforts at the local level and indeed at the provincial level.

I would like to just say to the minister that I think it would be to the benefit of this House to have regular reports made to members so we in our communities can bolster these efforts at our local level and be part of the whole effort to prevent crime in our province.

1400

MINISTRY OF ENVIRONMENT AND ENERGY

Mr James J. Bradley (St Catharines): On a very brief point of order that you may be able to help me with, Mr Speaker: Could you inform me whether the Minister of Environment and Energy has tabled with the House the report known as A Strategy for Sustainable Transportation in Ontario? I would have thought this would have been tabled in the House today. I don't know if it has been. Are you aware of that? I would hope she would perhaps do so now if she had the opportunity.

INTEGRITY COMMISSIONER

The Speaker (Hon Allan K. McLean): I beg to inform the House that pursuant to section 30 of the Members' Integrity Act, 1994, I've today laid upon the table a request by the member for Riverdale to the Honourable Gregory Evans, Integrity Commissioner, for an opinion on whether the member for London North has contravened this act or Ontario parliamentary convention.

ORAL QUESTIONS

OCCUPATIONAL HEALTH AND SAFETY

Mrs Lyn McLeod (Leader of the Opposition): My first question is for the Minister of Labour. Minister, two weeks ago you received a submission from your health and safety inspectors. In that submission the inspectors said you were failing to protect worker health and safety. According to the front-line workers in your ministry, the message you were sending to Ontario's employers was as follows: You stand little chance of ever getting caught putting a worker's health at risk and an even lesser chance of ever being penalized when you do get caught.

It is this message that your front-line workers say is largely responsible for the dramatic rise in critical accidents and occupational illnesses, which increased by 80% and 102% respectively between 1990 and 1995.

Minister, do you agree with this assessment of your front-line workers, the very people who are responsible for enforcing Ontario's health and safety laws?

Hon Elizabeth Witmer (Minister of Labour): As the Leader of the Opposition knows, I have personally been very concerned about health and safety. In fact, it was because of that concern that we set up a review team, and we are most anxious to continue to ensure that we have the best health and safety system in all of Canada.

Mrs McLeod: I hear the minister say that workplace health and safety is indeed a priority for her, but I have in my hand an internal memo which we obtained just today that says very clearly that the situation is otherwise. Minister, a memo written by the director of your northern area office states the following:

"The overall trend is that field presence is decreasing. In the north, we are projecting that our field visits will decrease by 1,300, including inspections, compared to last year, based on activities to date."

Minister, you'll recognize the fact that since this is a memo from the director in northern Ontario, we are talking about inspections in places like the mining industry, the logging industry, the pulp and paper industry, all, I hope you would agree, that you would recognize as being very dangerous workplace situations.

Given that your own director says things are getting worse and not better, I wonder how you can stand and say this is indeed a priority for you. I ask what you're prepared to do to ensure that health and safety inspectors have the resources they need to protect the lives of workers in northern Ontario, and indeed in every region of this province?

Hon Mrs Witmer: I appreciate your bringing the memo to my attention. I have not yet seen that particular memo.

However, I do want to indicate to you that unlike the initiatives that were taken by the NDP government during the last five years, where we saw a decrease of 8% in terms of the number of inspectors doing front-line work, I can assure you that I have given instructions to the ministry that there are to be no further reductions when it comes to health and safety inspections and that we need to concentrate our resources on the front-line workers.

In fact, I recently sent out a memo again indicating to individuals that we are concerned and that we need to do as much as we possibly can. The memo has gone out prior to Christmas, when we know that a lot of students are going to be involved in working. We want them to be aware of their rights under the Occupational Health and Safety Act as well.

I can assure you that we are continuing to do whatever we can to ensure that our front-line workers have the opportunity to do what is appropriate in order that we can eliminate, as much as possible, injuries and illnesses and, of course, fatalities.

Mrs McLeod: Minister, I appreciate that reassurance, but the memo I've conveyed to you today, if you've not seen it, is a very recent memo. It's dated November 17. It indicates very clearly that not only is there a critical

situation which indeed developed over the past five years and relates back to reductions that were made in the number of inspectors, but that the problem is continuing and is getting worse.

We all know we are approaching an expenditure statement in which there are going to be reductions in virtually every area your government is involved with. I think you will agree that when it comes to this issue, it's not a question of bottom lines in financial terms, because we really are talking about workers' lives.

You will recognize that we have seen that the reductions in inspectors have led directly to a sharp rise in critical accidents and in occupational illness, and I think you will agree that workers have a right to know that their workplace is safe.

You've given us an assurance today that there will not be a reduction in inspectors. Can you give us an assurance that there will not be a reduction as a result of any cuts to your ministry that we may see next week? And can you further tell us what you will be able to do to address the critical situation that already exists in workplace inspections?

Hon Mrs Witmer: I am glad the leader was honest enough to acknowledge the fact that this is a problem that has arisen over the last five years. It's not a problem that we've had anything to do with, because I have personally instructed that there be no further reductions to the number of front-line workers. I can assure you that, come next week, there will be absolutely no reduction in the number of workplace health and safety inspectors.

We will continue to take a look at the situation. I can tell you personally that we are moving forward and looking at some initiatives where we can work with the private sector to raise public awareness about the fact that we need to, as much as possible, eliminate and prevent any illnesses and accidents and fatalities in the workplace.

JUNIOR KINDERGARTEN

Mrs Lyn McLeod (Leader of the Opposition): My second question is to the Minister of Education. I want to return to the issue of junior kindergarten and the remarks the Minister of Education made in response to a question from my colleague yesterday.

Minister, yesterday in this House you indicated that school boards and school trustees and parents and teachers are in the best position to know what's required to meet the needs of children in their communities. On that point I could not agree with you more.

The point of difference between us is that I don't believe that school boards can provide the services they know children need if they don't have the money that's needed. I suggest to you that giving them flexibility with no funding just will not work.

So I ask you today, how do you expect school boards to provide the full range of services that children need if you will not provide the funding and if indeed we are looking at significant cuts to school boards next week?

Hon John Snobelen (Minister of Education and Training): To answer the question from the Leader of the Opposition I will reaffirm my remarks of yesterday,

that this government intends to keep the promises it made to the people of Ontario in the Common Sense Revolution. With regard to junior kindergarten, those are very specific promises. One of those is that we will make junior kindergarten for next year a local option. That was announced in the throne speech this year.

The second promise is that we will review junior kindergarten and have a look at the best support mechanism for four-year-olds in the province. I think those promises are very clear and we intend to fulfil them.

Mrs McLeod: School boards across this province have only so many options. If you cut their funding, they can raise taxes or they can cut services. If they are not to raise property taxes—and the Minister of Finance has indicated that he does not believe that municipalities and school boards should have to resort to raising property taxes as a result of the cuts he will make next week—if that's not an option school boards have, they have to look at cutting services.

If you make junior kindergarten optional at the same time as you cut the funding for school boards, boards are going to have to choose, and the kinds of choices they're going to have to make are between offering junior kindergarten or offering special education programs to children, or perhaps they can choose to offer junior kindergarten but increase the class size for children in grade 3 or grade 4 to 40 or 45. Those are the kinds of choices you will be forcing school boards to make.

Minister, if you were on a school board, with the kinds of choices you will be forcing them to make, where would your priorities lie?

Hon Mr Snobelen: I'm surprised that the Leader of the Opposition would miss some of the other choices like cutting administration costs, like doing things more efficiently, like working cooperatively—coterminous boards—like supplying real value in education to the taxpayers, the parents and the children of Ontario. I'm surprised that the Leader of the Opposition would not mention those choices.

1410

Mrs McLeod: I'm so pleased that the minister gave that response, because I could not agree with him more. In fact, I believe it's important that if school boards can find administrative savings, they be able to use those dollars saved for services for children. But I'm only too familiar with the campaign document of the government in which the minister now serves, a document in which they promised to cut school board funding by \$750 million and that \$400 million of those cuts were to come from administrative savings that school boards would make.

Now if school boards find savings by making administrative changes, becoming more efficient, sharing services with other boards, as the minister has suggested, I think they should have the opportunity to keep those savings and to invest them in programs for children. Yet this government's plan is to scoop those very administrative savings away in order to pay for their income tax cuts, and I think that is reprehensible. I'm afraid that is one promise they are going to keep.

Minister, instead of taking the savings the boards find in order to pay for your income tax cuts, why don't you do what you've just said today you think is a good idea: allow the boards to keep those dollars and reinvest them in programs like junior kindergarten?

Hon Mr Snobelen: I'm sure it won't come as a surprise to the Leader of the Opposition that I don't believe that the boards have dollars and the province has dollars. I thought they were all taxpayer dollars. I thought there was only one taxpayer in this province of Ontario. I thought that we would make savings in education for the same reason we'd look for it anywhere else in the service provided in the province.

I can assure this House that this government will make every effort to achieve three things in education: quality, affordability and accountability.

TRANSFER PAYMENTS TO MUNICIPALITIES

Mr Bob Rae (York South): My question is for the Minister of Municipal Affairs and Housing. His colleague the Minister of Finance is quoted today as saying that the municipalities should be able to avoid raising taxes as a result of the cuts in transfers that are going to be brought in next week. I wonder if the Minister of Municipal Affairs can tell us how this miracle is to be performed.

Hon Al Leach (Minister of Municipal Affairs and Housing): I think it's called good management. It's called working effectively. It's called giving the municipalities tools to work with, and that's what we intend to do, provide them with some tools to work with, get rid of a lot of the red tape.

Mr Rae: An organization with which the minister is familiar, the TTC, in September raised the cost of a Metropass by \$10 a month, which is \$120 a year—

Hon Michael D. Harris (Premier): Shame.

Mr Rae: The Premier shouts "shame." It is a shame. It's a shame caused by a reduction in the transfers.

I'd like to ask the Minister of Municipal Affairs how he intends to stop the shell game. As his colleague has just finished saying, there's only one taxpayer. If you take away the transfers which pay for a variety of services, who exactly do you expect to pay for the services, or do you expect there to be less services?

Hon Mr Leach: I expect the municipalities to work, again as I said, with more efficiency. We're talking about cutting the red tape and giving them the tools to work with it. When we say we're cutting red tape, we mean cross-wise, not length-wise, like you guys did.

Mr Rae: I think we all look forward to seeing how this shell game is going to be performed next week and in the weeks ahead. It's very clear now that the government strategy is going to be to blame any other organization which, as a result of the cuts in transfers, is forced to either cut services or to raise taxes.

But I want to ask the minister once again, in the Common Sense Revolution document there are references throughout to how this truly miraculous event is to be performed: cuts in transfers of up to 40% or 50% in some instances; reductions of \$1 billion in the case of primary and secondary education over the next 18 months to two years; \$400 million to colleges and universities. These

reductions are going to be huge and somehow these reductions are going to be performed without any increase in the cost to the consumer.

Is the minister telling us that it's his view that all of these things can be achieved without increasing the cost to taxpayers, without increasing the cost to users and to consumers, and without a drastic reduction in services? Is that now the position of the government of Ontario?

Hon Mr Leach: Unlike the leader of the third party, I have faith in our elected municipal officials, even former Metro—

Mr Mike Colle (Oakwood): That's why you called them clowns.

Hon Mr Leach: Only some of them, Mike. Unfortunately, most of them have now gone to the provincial scene. The elected officials of Metropolitan Toronto—

Interjections.

The Speaker (Hon Allan K. McLean): Order. The member for Oakwood is out of order.

Hon Mr Leach: —will make the decisions that are in the best interests of their citizens. That's why they're elected and that's why they'll do the job.

AGRICULTURAL LABOUR POLICY

Mr Bob Rae (York South): My second question is to the Minister of Labour. Minister, there are 200 workers at a company called Highline Produce, which is a mushroom-cultivating operation in Leamington. It was certified in 1994. There was first-contract bargaining, but there was no agreement.

The minister will be aware that as a result of the introduction of Bill 7, these workers have been stripped of their union, they've been stripped of their ability to organize and they've been told that retroactively they now have no rights with respect to negotiating their conditions of work.

I wonder how the minister, in a democratic society as we are supposed to have in Ontario, can possibly justify taking such basic democratic, fundamental rights away from 200 workers at a place of employment?

Hon Elizabeth Witmer (Minister of Labour): To the leader of the third party, as you well know, that's exactly what did happen under Bill 7, which came into force on November 10. The Agricultural Labour Relations Act was repealed. However, what we have done, in order to ensure that there are no reprisals against the employees who were involved, is that we have indicated and put that type of protection into the legislation.

1420

Mr Rae: We're not talking here about a family farm; we're talking about 200 workers who are working at a processing plant which raises mushrooms—200 people. So I would like to ask the minister once again, how can she justify taking away rights to organize, bargain, discuss conditions of work at a place called Highline Produce in which 200 workers are employed? What is the justification for that? It's not a family farm; it's where 200 people are working in producing mushrooms. What's the justification?

Hon Mrs Witmer: As you well know, there was consultation regarding the Agricultural Labour Relations

Act. As a result of the conversation that we had with the members from the agricultural community, the definition of "agriculture" was put forward, and it was as a result of the input that we received that the act was repealed.

Mr Rae: This is a mushroom factory, Minister. This is a mushroom factory which employs 200 people. It is not a family farm. What kind of definition would exclude 200 people working at a place called Highline Produce from even having the right to organize and have the right to bargain collectively? They don't have the right to strike with respect to the legislation that we brought in. Why would you not recognize that workers who are in this kind of situation, some 200 strong, surely should have some basic rights in this province rather than be stripped of the most basic democratic rights which they previously had?

Hon Mrs Witmer: I think one of the issues we need to take into consideration is the fact that this repeal, which involved the particular business you're alluding to, was done in consultation with the entire agricultural community. If we take a look at the mushroom plant that you're referring to, it still does have a problem as far as the sensitivities are concerned: time and the fact that you're dealing with perishable food. That's the basis on which that decision was made in consultation with the Minister of Agriculture, Food and Rural Affairs.

SATELLITE GAMING

Mr Bruce Crozier (Essex South): Yesterday, in response to my question regarding the proposed satellite bingo scheme the Gaming Control Commission has given its approval to, the Minister of Consumer and Commercial Relations said, "There is no doubt that this kind of province-wide network bingo would affect charitable bingos to a very great degree."

I would ask the minister, now that you've had some time to look into this matter and know what the effects are on these local, charitable, independent bingos, to what extent will the province of Ontario and your government receive any portion of the revenue that may be generated from this game if it's approved?

Hon Norman W. Sterling (Minister of Consumer and Commercial Relations): It's not quite certain what we would receive from this, but it's estimated to be around a million dollars.

Mr Crozier: What you're telling me, Mr Minister, is that at the present time the only thing the government gets from this is a fee of approximately \$12,000 from each commercial establishment. Notwithstanding the fact that the Premier has said, "Gambling isn't what we want as revenue in this province; we don't need the money," what you're going to do is you've found a new source of revenue that you've just told us about. That money is going to be taken away from the poor, the disabled perhaps, children, because these private charitable bingos have been asked by your government to help out. Is this what's going to happen, you've found a new source of revenue that you're taking away from these small, local, charitable bingos?

Hon Mr Sterling: No, quite the contrary. As a matter of fact, many, many people who would need money and are given money by many charitable organizations across Ontario will receive much more, because basically the

whole concept behind this new form of bingo is to bring back to some of the existing bingos the business that they've lost over the last 12 and 24 months.

The fact of the matter is that it's about a wash with regard to what the government receives with regard to this new bingo activity. The fact of the matter is, as was alleged in a document which I saw by some operators that the government was going to be benefiting to the tune of \$500 million, nothing could be further from the truth. Any money, of course, which is collected is to pay for the gaming commission's costs in overseeing this kind of activity.

Mr Crozier: A million dollars a year.

Hon Mr Sterling: Absolutely. It's very expensive to make certain that it's done properly.

The Speaker (Hon Allan K. McLean): Wrap up your answer, please.

Hon Mr Sterling: The bottom line of all of this is that charities will get more money, will benefit more, through this new scheme. The new scheme has been approved in principle, but we are now going to—

The Speaker: Time's up.

TVONTARIO/TÉLÉVISION FRANCOPHONE DE L'ONTARIO

Mr Bob Rae (York South): I have another question for my friend the minister responsible for francophone affairs. Once again I find from reading the francophone media that the minister has been very busy expressing himself with respect to other plans of the government.

In a report on the weekend in *Le Droit*, the minister is quoted as saying that the question of selling off public television was raised in a cabinet meeting, and the minister said that he personally was opposed, and he promised to do everything he could to make sure the cabinet didn't take this decision. He said: «C'est la seule télévision éducative francophone hors Québec, et c'est tellement important pour la communauté francophone. C'est unique.» It's unique, he said. But he added, «Je ne suis pas majoritaire au cabinet.» "I'm not in a majority in the cabinet."

This is indeed an old tactic that I've observed over the years, not one I've ever thought very highly of. I'd like to ask the minister, can he confirm in fact that he's been present at cabinet meetings where the question of TVO and TFO being sold has been raised? Why would you have made this announcement in *Le Droit* on the weekend?

Mr Gilles Pouliot (Lake Nipigon): You have as much clout as Mickey Mouse.

The Speaker (Hon Allan K. McLean): The member for Lake Nipigon is out of order.

Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs): First of all, I have discussed this matter on several occasions with my honourable friend the minister responsible. I am responsible for French-language services, and TVO, whether it's privatized or whether it remains where it is, I certainly would endorse strongly the fact that it continue educational television en français. That is my main concern, and that's where I stand.

Mr Rae: Back in 1991 when there was a small, short debate in the House with respect to TVO, the minister himself said, "I belong to a group called Friends of TVO." I'd like to ask the minister, is he still a member of the Friends of TVO? I'd like to ask the minister, why is he announcing the sale of TVO and TFO to the Presse canadienne and to Le Droit? Why is he making these announcements?

Hon Mr Villeneuve: First of all, this was not an announcement; it was simply a comment that I made in reply to a question from one of the French-speaking lawyers expressing their concerns. The speech from the throne did say that we would be looking at the privatization of all those areas that could be privatized. I simply expressed that whether La Chaîne TFO remains in the public sector where it is or goes to the private sector, I am simply saying that I endorse the French-language educational portion of TVO.

1430

The Speaker: The Solicitor General has a short answer to a question previously asked by the member for Timiskaming.

CORRECTIONAL FACILITY EMPLOYEES

Hon Bob Runciman (Solicitor General and Minister of Correctional Services): I wish to respond to a question asked yesterday by the member for Timiskaming concerning a memo that was issued by the assistant deputy minister of Correctional Services. The memo concerned possible job actions and information pickets by ministry personnel and advised superintendents and area managers to report on such activities.

I want the member opposite to know that the purpose of reporting on such activities is to ensure that the Correctional Services ministry fulfils its mandate of protecting local communities. For example, if a large number of corrections officers decided to leave their jobs to participate in a job action, the ministry would have a responsibility to ensure that inmates were secure and the community was not at risk. We might need to call in unscheduled staff to manage the correctional operation.

The member should know that MPPs' offices were cited in the memo only because there was such an information picket at my constituency office in Brockville. However, if that information picket were held elsewhere in the community, then it would have been reported on as well.

As to the member's suggestion that the ministry would be spying on any corrections employees who might visit his office, that is completely false and I suspect he knows that.

Mr David Ramsay (Timiskaming): I didn't solicit, and I don't know of any other member in this House who solicited, the protection of your ministry from constituents coming to visit me and make representations on my behalf.

The other thing I would have to say is that if you combine this memo that was put out to the superintendents and area managers with the remarks of the minister responsible for women's issues to the group in London, it starts to, I think, weave a thread that possibly this

government wants to intimidate people who oppose it and also to maybe intimidate people who work for it and maybe question some of their policies.

I would say to the minister that he should look throughout his ministry and maybe talk to some of his colleagues in government to make sure that this is not going on in the other parts of this government, because it seems to be starting to set a pattern.

I would ask the minister today, has he rescinded this memo throughout the ministry and has he alleviated the fears of his employees, that they no longer are going to be spied upon by his ministry officials?

Hon Mr Runciman: I have not rescinded the memo. I've reviewed it and I see nothing wrong with it. A few weeks ago I had a meeting with various members in this assembly who have concerns about the possibility of jail closures in their ridings. The member for Timiskaming was a participant in those meetings. Subsequent to that, the feeling as we left that meeting was that they would work together in their own local communities to try and come up with solutions and answers to try and deal with the financial problems the government is facing.

I've had a number of members since that meeting come forward. The member for Bruce is an example. He spent two consecutive Fridays meeting with jail guards and management to come up with options. Instead of doing that, what has this member done? He's come in here yesterday in an attempt to score political points rather than trying to work together with us to find solutions.

TRANSFER PAYMENTS TO MUNICIPALITIES

Mr Joseph Cordiano (Lawrence): I have a question to follow up on a question asked by the leader of the third party to the Minister of Municipal Affairs and Housing. If in fact he is still the Minister of Municipal Affairs, I'm sure he'll be able to answer this question satisfactorily.

As he made comment on cuts to transfer payments for municipalities, surely the Minister of Municipal Affairs would have commissioned impact studies to these municipalities to determine what the effect of these cuts will be on municipalities, and surely the minister can tell us today what the impact studies have revealed.

Hon Al Leach (Minister of Municipal Affairs and Housing): We've conducted meetings with AMO of most of the municipalities around the province, with all the major stakeholders. They fully understand the problem that the government has with its financial situation that it was left with. There's absolutely no way that we're going to be able to eliminate the crushing debt load that we've had—and we've got \$100 billion in debt—unless we cut costs. The municipalities in this province understand that. They're prepared to be part of the solution, not part of the problem.

Mr Cordiano: I'd like to point out to the minister that according to Metro Chairman Alan Tonks, his government's cuts in transfers will mean a 25% cut to Metro Toronto. According to Chairman Tonks, that can mean "cutting Metro police by \$59 million, the TTC by \$12 million, and services like homes for the aged, water

and sewage and parks and roads by \$75 million. Some government sources, as has been indicated today, suggest that these cuts will in fact amount to 45% over two years."

Minister, you promised during the election campaign that, "Funding for law enforcement and justice will be guaranteed." That's a quote from your Common Sense Revolution. The only way municipalities will be able to maintain policing levels to meet your commitment that you made during the election campaign will be to raise property taxes.

Is this what you're telling municipalities, that they should raise property taxes? Because, Minister, there's simply no other way to do it to meet those policing levels. They have to raise property taxes. I ask you very directly, is that what you're telling municipalities, that they should raise property taxes?

Hon Mr Leach: As I mentioned to the leader of the third party, I have all the faith in the world in our elected municipal officials to determine how to deal with their own particular budget.

The municipalities have been asking for autonomy for years. We're planning to give them autonomy. They're going to make the decisions. We don't believe they're going to have to raise taxes, but if they have to raise taxes, that would be their choice and they would have to face their electorate on that.

SOCIAL ASSISTANCE

Mr Bud Wildman (Algoma): I have a question for the Minister of Education and Training related to the effects of the social service cuts on post-secondary students in the province. Could the minister explain what should be done to assist Patricia Gravelle, who's a single parent of two children, enrolled in the diploma nursing program at Georgian College? She is halfway through her studies, has a considerable student loan, and she's had to drop half of her courses in order to take a part-time job so that she can make up for the 21.6% cut in her family benefits.

What is the minister's response to Patricia's question when she says, "How does it benefit Ontario if those of us who have struggled so hard to climb back into the workforce now have the ladder kicked out from beneath us, sending us tumbling back into a vicious cycle of dependence on family benefits and other social services?" What is the minister's response?

Hon John Snobelen (Minister of Education and Training): I'm sure it won't surprise the honourable member that I can't comment on an individual case, but I will say I'm very pleased that he's revealed today that someone has in fact found a part-time job, which I'm sure is helping that person to take care of her family and to be a useful, productive member. I'm also pleased that the individual he's mentioned is attending university.

Mr Wildman: I wasn't asking the minister to comment on this particular case, I was asking him what his answer would be for students like Ms Gravelle who are facing the situation of having to drop the courses, the very courses that the minister and his government are saying they want people to get involved in so they can gain the skills and be productive.

I'll give you a couple of other examples: Tracy, a business student at Fanshawe College, or Kathryn, a nursing student at Lambton College, have both lost their Jobs Ontario child care subsidy which made it affordable for them to attend school and get child care in this province and as a result are having to consider dropping out of school and remaining dependent on social assistance. I'm told that more than half of the nursing students at Lambton College are going to be affected by the loss of this child care subsidy.

What is the minister doing to ensure that child care subsidies remain available to single parents who are attending community college so that they can upgrade themselves, become employable and productive and not be dependent on social assistance in the future?

Hon Mr Snobelen: I'm glad to hear from the member opposite that people are attending colleges and universities to upgrade their skills and to find gainful employment in the province of Ontario. I think that's a progressive step.

I also am pleased that there are support systems available in the province that I'm told are among the best in Canada to take care of those sorts of people. I understand and appreciate that it is a struggle for people to attend colleges and universities, that that's an ongoing struggle for people in all sorts of categories.

Specifically, I can't speak to the area of child care although, if the member would like to direct a question to the Minister of Community and Social Services, I'm sure there will be a response.

1440

RABIES

Mr Harry Danford (Hastings-Peterborough): My question today is for the Minister of Natural Resources. Minister, I've received a number of inquiries from constituents in my riding of Hastings-Peterborough concerning fox and raccoon rabies. Rabies, as you are well aware, is not only a threat to the wildlife and livestock population but can be potentially dangerous to the public. I know the fox rabies problem is almost eradicated, but what steps has the minister taken to deal with new threats of raccoon rabies?

Hon Chris Hodgson (Minister of Natural Resources, Northern Development and Mines): I would like to thank the member for Hastings-Peterborough for the fine question. Ontario is recognized as a world leader in the fight against rabies and our techniques are world-renowned. We sell technology, actually, to other countries in the world. As you know, there are fewer rabies cases now than there were in 1961, and the success rate of our program speaks for itself. We are planning to improve our program, though, in coordination with federal and local authorities, enhanced surveillance, maintenance of a barrier of immune raccoons and increased public education.

Mr Danford: The agricultural community in particular has specific concerns with regard to rabies. I know that the Ontario Federation of Agriculture raised this issue with you Monday night when they met in Toronto. Could the minister update my constituents and members

of the House on what partnerships you're prepared to work with in the agricultural community to address this?

Hon Mr Hodgson: We are working with the agricultural community. The MNR has had a good tradition of working with the agricultural community. It's an important issue, and on Monday night that was expressed to me personally by numerous people in the agricultural community—farmers. We plan to set up a partnership with farmers and rural land owners to trap, vaccinate and release on their property. The goal is to eradicate rabies from Ontario permanently, and with the agricultural community's support—I've talked to my colleague the Minister of Agriculture—and together with rural land owners' support we hope to achieve our goal.

HIGHWAY SAFETY

Mr Frank Miclash (Kenora): My question is for the Solicitor General. Treacherous: That's how officers of the Ontario Provincial Police describe the stretch of Trans-Canada Highway between Vermilion Bay and Kenora.

I have to ask the minister, what action is he taking to protect the health and safety of the province's police officers, whom he represents, in the face of the dangerous cutbacks to road repair and winter maintenance being made by his colleague the Minister of Transportation?

Hon Bob Runciman (Solicitor General and Minister of Correctional Services): The provincial police have an association, the OPPA. Certainly if they have concerns, they haven't been conveyed to me. I believe the Minister of Transportation has answered this question adequately in terms of the way the ministry will be responding. Indeed, in his supplementary the member may have specifics to refer to in terms of identifying members, but up to this point I have not been made aware of any concerns.

Mr Miclash: Minister, that may be your spin, but that's not what we're hearing from the OPP officers of the Kenora district. They have indicated to me—and just let me quote what an OPP officer from the Kenora detachment has said:

"Any of the officers will tell you that on the easterly drive to Vermilion Bay none of us feels safe, and we drive there on a regular basis.... Officers are nervous driving that section...it's a treacherous piece of highway no matter how you look at it."

OPP officers tell me that statistics prove that this section of Highway 17 is one of the worst sections of highway in the country.

The Ministry of Transportation upgrading plans are complete and sitting on the Transportation minister's desk, yet the death and accident toll continues to mount. Your officers, the men and women in your ministry, cannot do their work of enforcing the law under the existing conditions.

Minister, explain to the people and the police officers of the northwest why your government refuses to invest in their safety.

Hon Mr Runciman: The member has identified the area in respect to the detachment, and I will follow up. If indeed that is a valid concern, I will certainly be quite prepared to sit down with the Minister of Transportation

and make sure that he's apprised of those concerns as well and follow through on it.

NORTHERN HEALTH SERVICES

Mr Bud Wildman (Algoma): I have a question to the Minister of Health in regard to the long-standing problem of the need to deal with the shortage of medical practitioners in many small communities in northern and rural Ontario.

The minister will be aware that the Hornepayne Community Hospital made a written proposal to him in August asking the ministry to support the training of one staff nurse in the nurse practitioner program in Lakehead University. The idea was that this would alleviate the load for one doctor in the community of Hornepayne, make it more attractive to get a physician to locate there, and lower the cost for the ministry's underserved area program.

Will the minister indicate whether or not his ministry is prepared to assist the Hornepayne Community Hospital in training a nurse practitioner as proposed by them to him in August?

Hon Jim Wilson (Minister of Health): I would certainly say that all options are on the table right now to deal with a physician shortage in Hornepayne, Red Lake and my area of the province and 76 communities where we have a crisis, and 50 other communities where we have minimal, if not a shortage of, physician resources in those communities. So, yes, I will consider that.

We are in discussions with the Ontario Medical Association now about this very problem. We've indicated to the OMA that this government is serious about finding a solution to this problem. I agree with what I think is behind your question, which is that we've been doing a patchwork approach for the past few years in this province. Sometimes we've been paying physician locums up to \$500 a day plus expenses. It's a very expensive way and I think the wrong way to go about this problem. So we're trying to find a permanent solution, and nurse practitioners are part of our review of primary care in the province.

Mr Wildman: I'm pleased that the minister is prepared to review this, which he has had on his desk since August. Can he indicate when the review might be completed and when the Hornepayne Community Hospital will know whether or not they will get assistance for the training of the nurse practitioner, recognizing that the staff nurses who have indicated they're interested are making a commitment to their community?

Also, because of the topping up of the subsidies for locums in northern Ontario, the hospital is running out of its reserve funds in having to compete with other communities in the north that are subsidizing over and above what the underserved area program provides, up to \$1,000 a day.

This is becoming a particular crisis in this community because the hospital is running out of funds. They have a practical approach to lowering the cost and making it more attractive to meet the medical needs in their community. When will you complete your review and give the hospital an answer?

Hon Mr Wilson: It's a good question from the honourable member. I will remind him, though, that I inherited these problems. They weren't created just in the past four or five months. As the opposition Health critic, I watched the growth of these problems, and I have some sympathy for the previous governments.

However, this government is moving. We made it clear in the throne speech that we will move on the Scott report, which will help with physician services. We've also, in our discussions with the Ontario Medical Association, put a number of items on the table. We've given them to the end of this month to give us a final response and indicated to them that we're serious.

I'm tired of going home to my communities and being asked by physicians practising there now, "Why can't you get me more help?". I'm tired of going to the North Shore communities and having physicians themselves yell at me and say: "I'm the only physician in town. You're burning me out and I need more help." That's exactly the message I've got at the table with the Ontario Medical Association.

When I came to office we made a very quick decision that nurse practitioners will continue the education program set up by the previous government. We're reviewing primary care services. Unfortunately, and I do apologize, we have to get the physician resource piece settled in the province, and then we'll be able to give a clearer indication of nurse practitioners and where they'll fit into the multidisciplinary team as we—

The Speaker (Hon Allan K. McLean): The question has been answered.

1450

CROP INSURANCE

Mr Bruce Smith (Middlesex): My question is to the Minister of Agriculture, Food and Rural Affairs. Minister, although current grain prices in Ontario are favourable, many grain and oilseed producers in my riding are still quite concerned about significant fluctuations over the next several years. What reassurances can you give them that an appropriate safety net will be available to them?

Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs): I want to reassure the honourable member that indeed this government is living up to its commitment to the grain and oilseed producers of this province.

I was pleased to announce at the OFA meeting this week that we have gone from 80% to 85% in the market revenue area, what's known as GRIP to some people, and we are living up to the commitment and the promise that was made in the Common Sense Revolution. We are now at 85% of the market revenue program.

Mr Smith: As the minister is undoubtedly aware, many potential substantial income fluctuations could be incurred by farming communities. In the Common Sense Revolution we committed to the whole-farm approach for national safety nets. Can the minister provide an update on the developments in this area and when producers may expect further details?

Hon Mr Villeneuve: Yes, we are going to 85% of market value in 1996 and henceforth. Yes, this govern-

ment is very much committed to protecting farmers against fluctuation in prices: the safety nets program, the crop insurance, NISA and GRIP—very much in place. We can very much reassure the farmers of Ontario that this government stands behind them to protect them when prices go against them.

GREATER TORONTO AREA

Mr Mike Colle (Oakwood): I have a question for the Minister of Municipal Affairs and Housing. Minister, as you know, yesterday the city of Oshawa passed a resolution whereby they asked that you make the Golden task force recommendations public. They say that the speculation about dramatic changes in governance and property taxation in the GTA is creating an economic freeze in the GTA, as commercial and residential taxpayers alike cannot plan future investment and job initiatives.

Given the havoc that the secrecy and backroom deal-making are causing, why not share the findings of the Golden commission with the 4,000,000 people of the GTA who paid for this task force, and why not allow a city like Oshawa to get on with business and create jobs?

Hon Al Leach (Minister of Municipal Affairs and Housing): I will share the findings Anne Golden brought to me. She told me they found that there's too much government, too much duplication, too much waste, and that they're addressing it. Their findings and recommendations will be made public as soon as the report is finished. They're still working on it.

Mr Colle: One other aspect of this which troubles a lot of people is that because of the secrecy you have a situation where the mayors of the major cities like Mississauga, North York, Toronto and Oshawa, who call themselves the champions of the GTA, are seeking special status within this so-called supercity. Are you going to allow for special status within the GTA for the so-called champions, or are you going to treat everybody equally within this new so-called supercity?

Hon Mr Leach: The party that's in power right now treats everybody equally.

AGRICULTURAL FUNDING

Mr Howard Hampton (Rainy River): My question is for the Minister of Agriculture, Food and Rural Affairs. Minister, the fruit and vegetable growers of the province are very concerned about some of what they're hearing about cutbacks in the Ministry of Agriculture, Food and Rural Affairs. In particular, they're very concerned that you may cut the number of crop advisers who are available to fruit and vegetable growers. They believe that's a very important part of the service your ministry provides to them.

What assurances can you give them that in the Minister of Finance's statement which will come next week, and following that statement, there will be no cuts to the crop advisers and other advisory advice available to fruit and vegetable growers?

Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs): The member realizes full well that this government was left with a major, major financial problem—a \$10-billion-plus deficit per year.

The interesting thing is that my predecessor, a good friend of mine and a former member in this House, Elmer Buchanan, with whom I had the opportunity of speaking last night, made a statement here on April 23 that, "Tough decisions had to be made, but our aim is to invest in essential services and to ensure the long-term economic health of the province." My answer is the same.

Mr Hampton: The reality is that this minister went around Ontario before and during the election campaign and said there will be no cuts to agriculture, no matter what. This Minister of Agriculture may prefer to think that people don't have memories, but people do have a memory.

Your government's problem is that you have to cut \$5 billion in order to give your wealthy friends a tax cut. That's your problem. You created that problem. What assurances can you give the fruit and vegetable growers that you won't be cutting them in order to give your wealthy friends a tax break?

Hon Mr Villeneuve: In the rural economic development task force report, of which I happen to have a copy, it said there would be no program cuts, and there have been no program cuts. We have gone to 85% market revenue, 75% farm tax rebate. We remain committed to Ontario's agriculture, and there will be no program cuts. We will serve agriculture.

GREATER TORONTO AREA

Mr Chris Stockwell (Etobicoke West): I will note, Mr Speaker, that I'm question 4 today. Of course, the list only goes to question 3. My question is to the Minister of Municipal Affairs and Housing. This was not planned, because I'm question 4.

Having campaigned in the last election about the municipality and the restructuring of Metro and the GTA, I heard from a number of my constituents, and I'm certain you heard from a number of yours, Minister, that what we needed was less government, fewer politicians, fewer bureaucrats and, most importantly, fewer taxes.

The previous government, the NDP, struck the Golden task force. If the Golden task force came back with a recommendation seeking a larger, more bureaucratic and a far greater regional government, it seems to me that wouldn't fit with the practice of our government, which is smaller, more efficient and better.

I put it to you directly, Minister: If Golden came forward and said we need a superregional government, are you prepared to say today on behalf of the taxpayers, "This is not an effective and efficient use of the good GTA taxpayers' dollars"?

Hon Al Leach (Minister of Municipal Affairs and Housing): It's nice to hear from my colleague with the fourth question. The Golden task force has not completed its report yet. Whatever recommendations they bring forth, this government will look at and review, whether it's a superministry, whether it's a single tier, whether it's a two-tier system—whatever recommendations they're doing. They've been working on this for a year. They've gathered all kinds of information. They're reviewing their findings as we speak and they're still developing their recommendations. Whatever recommendations they come forth with, this government will give consideration to.

Mr Stockwell: Having heard the answer, there are some concerns I still have. Let me itemize them.

Having discussed this fully with my good friend Howard Moscoe, one of those elected clowns at the Metropolitan Toronto level, he has said to me specifically—at least not to me, maybe to the Toronto Star—he has suggested that there are concerns with respect to this supergovernment.

I am prepared to look at all recommendations Golden brings in, but I am not prepared to look at recommendations that call for larger government. That doesn't meet our mandate. Our mandate, Minister, was clear in opposition. I think it should be clear in government. Larger government doesn't work. To have more politicians is not a good thing, it is a bad thing. Greater bureaucracy doesn't prove to be efficient, and red tape gets multiplied when you push it across the GTA.

The Speaker (Hon Allan K. McLean): Put your question.

Mr Stockwell: I put it to you very directly, Minister, if the Golden task force, as one of the recommendations, suggests a superregional government, are you prepared to say: "No. Doesn't fit. Not acceptable"—

The Speaker: The question's been asked.

Hon Mr Leach: Thank you, Mr Speaker. That's a nice suit you're wearing.

As I mentioned to the member before, whatever recommendations the Golden task force brings forward I know will be responsible recommendations that are in the best interests of this community, and this government would be obligated to review all the recommendations that come forward. We have no idea at this point what those recommendations are. They are still running models on certain information, and recommendations will be forthcoming within the next month.

1500

PUBLIC SERVICE EMPLOYEES

Mr Gerry Phillips (Scarborough-Agincourt): My question is for the Minister of Finance. We're awaiting, of course, the fiscal statement next week. One of the key areas of interest to all of us is the public service staffing, and I know the government's commitment is to reduce the public service staffing by 13,000 people to get it back, I gather, to the 1985 levels. My question is actually quite straightforward: What is the current staffing level in the Ontario public service, the number you're using to reduce the 13,000 from? You've given me a document dated March 31, 1995, indicating that it's around 81,000. I'd like to know whether that is still the number.

Interestingly enough, as I went back to 1985 to look at the numbers, the number I have for 1985 is also 81,000. So my question is this: You are planning, I gather, to reduce the civil service by 13,000. The number you've given us to date for the current staffing is around 81,000 and the number in 1985 is around 81,000. Can you give us the number of public servants we currently have in the province and the number we had in 1985, Minister?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): I will get back to the member with an up-to-date number; he has

the number as of March 31, 1995. I will take that as notice and I will get back to you with an appropriate number as of now.

The Speaker (Hon Allan K. McLean): The member for Timiskaming on a point of privilege.

CORRECTIONAL FACILITY EMPLOYEES

Mr David Ramsay (Timiskaming): Mr Speaker, I rise today on a matter of personal privilege. I'd just like to say to you that in my 10½ years in this House I've never done this before, and I don't do it lightly. I would refer you to standing order 21(a), where it says: "Privileges are the rights enjoyed by the House collectively and by the members of the House individually conferred by the Legislative Assembly Act and other statutes, or by practice, precedent, usage and custom."

I've always considered that it's one of my rights, by custom and precedent, as a duly elected member of the Legislative Assembly that my constituents can freely associate with me and I with them.

I didn't stand to do this yesterday, because I wanted to bring this up in question period and give the minister a chance to dissociate himself from this memo that an ADM in the Ministry of Correctional Services put forward to superintendents and area managers, whereby those people were ordered to report to the ADM and now, being endorsed by the minister today, to the minister any political activities to an MPP's office.

Mr Speaker, I certainly will submit the copy of this memo to you later, but I would just like to repeat the second sentence in this memo, which says, "A report should be submitted, even if an action in, or adjacent to, the workplace or to a local MPP's office is only suspected of being related to constraint proposals/initiatives."

In other words, if there is any political dissent, action or discussion—and as you know, Mr Speaker, as a member of this House also, constituents from time to time choose to book appointments with members, to come in unannounced to seek a member's advice or to give them their opinion or, from time to time, as is their right, to demonstrate in front of our offices. While maybe we don't necessarily always relish having a demonstration at our office, it certainly is the right of our constituents and it's certainly my right as a member to be informed through that method what my constituents are thinking.

Mr Speaker, I would ask that you please investigate this and report back to this House.

VISITOR

The Speaker (Hon Allan K. McLean): We have a former member in the member's gallery today by the name of Larry O'Connor, former member for Durham-York. Welcome, Larry.

PETITIONS

HOSPITAL RESTRUCTURING

Mr Monte Kwinter (Wilson Heights): I have a petition addressed to the Legislative Assembly of Ontario.

"Whereas the report of the Metropolitan Toronto District Health Council hospital restructuring committee has recommended that North York Branson Hospital merge with York-Finch General Hospital;

"Whereas this recommendation will remove emergency and inpatient services currently provided by North York Branson Hospital, which will seriously jeopardize medical care and the quality of health for the growing population which the hospital serves, many being elderly people who in numerous cases require treatment for life-threatening medical conditions;

"We petition the Legislative Assembly of Ontario to reject the recommendation contained within the report of the Metropolitan Toronto District Health Council hospital restructuring committee as it pertains to North York Branson Hospital, so that it retains, at minimum, emergency and inpatient services."

I have affixed my signature.

MINISTER'S COMMENTS

Ms Marilyn Churley (Riverdale): I have a petition to the Legislative Assembly of Ontario.

"Whereas six women present at a meeting held by the minister responsible for women's issues, Dianne Cunningham, at her constituency office on October 25, 1995, agree that they heard the minister state, 'Within the context of this government, you need to understand that groups or agencies that are seen not to be working with this government, providing an oppositional voice...will be audited and their funding eliminated'; and

"Whereas the minister responsible for women's issues denies having made this statement;

"We, the undersigned, request that the government establish a legislative committee to determine whether the minister responsible for women's issues abused her authority as a minister of the crown by making threatening and intimidating remarks at the meeting described above."

ONTARIO HOUSING CORP

Mr Frank Miclash (Kenora): I have a petition that reads:

"Since the government has stated they plan on selling off 84,000 units which are owned by the Ontario Housing Corp, we are in favour of keeping Ontario Housing Corp, which assists people on limited incomes to have decent, affordable housing."

That's signed by a good number of my constituents in Kenora, and I too have attached my name to that petition.

MINISTER'S COMMENTS

Ms Frances Lankin (Beaches-Woodbine): I have pages and pages of petitions here which I'm submitting today.

"Whereas six women present at a meeting held by the minister responsible for women's issues, Dianne Cunningham, at her constituency office on October 25, 1995, agree that they heard the minister state, 'Within the context of this government, you need to understand that groups or agencies that are seen not to be working with this government, providing an oppositional voice...will be audited and their funding eliminated'; and

"Whereas the minister responsible for women's issues denies having made this statement;

"We, the undersigned, request that the government establish a legislative committee to determine whether the

minister responsible for women's issues abused her authority as a minister of the crown by making threatening and intimidating remarks at the meeting described above."

I agree and I have affixed my signature to these petitions.

CHILD CARE

Mrs Sandra Pupatello (Windsor-Sandwich): I'm happy to submit this petition on behalf of the constituents from Kitchener-Waterloo, where I spent last evening in a group, expected to be 100, that turned out to be 550. That, of course, was a collection of people concerned about child care.

"Whereas high-quality child care contributes significantly to the healthy development of all children;

"Whereas research has proven that good wages and working conditions for early childhood educators are a key factor in high-quality child care;

"Whereas the best child care system is one that is accessible, affordable and regulated for quality; and

"Whereas recent cuts to child care are destabilizing the entire child care system in Ontario;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That all public funding be restored for child care, including subsidies, capital funds, operating grants and all-day junior kindergarten pilot programs;

"That all existing commitments regarding wage subsidies, pay equity grants and any other funding and/or policies that help to stabilize high-quality child care for children and families in the province of Ontario be retained;

"And that public hearings be held as part of the child care services review process."

I hereby affix my name.

1510

PRIVATIZATION OF CORRECTIONAL FACILITIES

Mr Gilles Bisson (Cochrane South): I have a petition here from a number of people from Iroquois Falls, Matheson and Elliot Lake. The petition reads:

"To the Legislative Assembly of Ontario:

"Whereas the government of Ontario has indicated a need to privatize crown assets and programs;

"Whereas the provincial government plans to remove successor rights via Bill 7 and therefore enabling widespread privatization;

"Whereas the Common Sense Revolution did not address the topic of privatization of prisons;

"Whereas the Common Sense Revolution did, however, discuss issues related to public safety;

"Therefore, be it resolved, we, the undersigned, petition the government of Ontario to eliminate any rumours of actual intention to privatize the provincial correction facilities and therefore ensuring the people of the province peace of mind in knowing that the government of Ontario is still responsible for the safety and security of the province."

I affix my signature to this petition.

VEHICLE SAFETY

Mr Mike Colle (Oakwood): I have here over 30,000 names on a petition. A lot of this work was done by Theresa Worona, whose sister Angela unfortunately died in a truck accident. The petition reads:

"To the provincial Parliament of Ontario:

"Whereas the Ministry of Transportation maintenance checks on large commercial trucks and trailers has found approximately 43% of trucks with potentially dangerous defects; and

"Whereas these defects are a serious threat to the public safety on the highways;

"We, the undersigned, hereby petition the provincial Parliament of Ontario to take all necessary measures related to inspection and enforcement of safety and maintenance standards for these trucks and trailers."

I affix my name to this petition.

HIGHWAY SAFETY

Mr David Ramsay (Timiskaming): To the Legislative Assembly of Ontario:

"Whereas the Ministry of Transportation is intent on reducing northern winter road maintenance services; and

"Whereas such downgrading places the lives of northern residents at undue and unnecessary risk;

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow these reductions in service and to guarantee that winter roads across the northern regions of the province receive the necessary maintenance to ensure safe passage of drivers."

I will affix my signature to this.

AMALGAMATION OF HOSPITALS

Mr Michael A. Brown (Algoma-Manitoulin): "Whereas the Memorial Hospital in Sudbury, Ontario, is northern Ontario's only heart care hospital;

"Whereas the calibre of heart care at Memorial Hospital is second to none in Canada and possibly the world;

"Whereas the presence of such a respected facility is extremely important in attracting top-notch specialists to the north;

"Whereas thousands of people in the Algoma-Manitoulin area owe their lives to the excellent treatment and care received at Sudbury Memorial Hospital;

"We, the undersigned, petition the Ontario government as follows:

"To do everything in its power to see that any planned amalgamation of hospitals in Sudbury does not include the loss of the Memorial Hospital."

This petition is signed by literally hundreds of my constituents.

PRIVATIZATION OF CORRECTIONAL FACILITIES

Mr Gilles Bisson (Cochrane South): I have yet another petition on the same issue from the people of Connaught and Raymore, and the petition reads as follows:

"Whereas the government of Ontario has indicated a need to privatize crown assets and programs;

"Whereas the provincial government plans to remove successor rights via Bill 7 and therefore enabling widespread privatization;

"Whereas the Common Sense Revolution did not address the topic of privatization of prisons;

"Whereas the Common Sense Revolution did, however, discuss issues related to public safety;

"Therefore, we, the undersigned, petition the government of Ontario to eliminate any rumours of actual intention to privatize the provincial correction facilities and therefore ensuring the people of the province peace of mind and knowing that the government of Ontario is still responsible for the safety and security of the province."

AMALGAMATION OF SCHOOL BOARDS

Mr Frank Miclash (Kenora): This petition relates to a question that I asked of the Solicitor General earlier on today and it reads:

"To the Legislature of Ontario:

"Whereas the interim report of the Ontario School Board Reduction Task Force recommends amalgamation of the Kenora Board of Education with the Dryden Board of Education and the Red Lake Board of Education; and

"Whereas the amalgamation of school boards in northwestern Ontario is not practical for operational and financial reasons because of the large distances between the communities;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To ensure the continuation of the present number of school boards in northwestern Ontario except where local school boards and their communities, having evaluated the costs and benefits from amalgamation, request an amalgamation of their respective boards."

I attach my name to that petition as well.

HURON LODGE

Mr Michael A. Brown (Algoma-Manitoulin): "Whereas zoning approval for the redevelopment of Huron Lodge has been referred to the Ontario Municipal Board; and

"Whereas this redevelopment is a critical component to the continuum of long-term care in the Elliot Lake area; and

"Whereas any delay in the Ontario Municipal Board hearing into this matter could seriously jeopardize this continuum of long-term care;

"Therefore, we, the undersigned, petition the minister to expedite the Ontario Municipal Board hearing into the rezoning of the proposed Huron Lodge site."

The Speaker (Hon Allan K. McLean): Further petitions? The member for Dovercourt.

ADJOURNMENT MOTION

Mr Tony Silipo (Dovercourt): Mr Speaker, I would move adjournment of the House.

The Speaker (Hon Allan K. McLean): The member for Dovercourt moves the adjournment of the House. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the nays have it.

Call in the members. There will be a 30-minute bell.

The division bells rang from 1516 to 1546.

The Speaker: All those in favour will please rise and remain standing.

All those opposed will please rise and remain standing.

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 14, the nays 77.

The Speaker: I declare the motion lost.

PETITIONS

(continued)

PRIVATIZATION OF CORRECTIONAL FACILITIES

Mr Gilles Bisson (Cochrane South): I have a petition here, this time from the people of Tunis and the people in around that area. It reads:

"Whereas the government of Ontario has indicated a need to privatize crown assets and programs; and

"Whereas the provincial government plans to remove successor rights via Bill 7 and therefore enabling widespread privatization;"—

Interjection.

Mr Bisson: No, Tunis is actually around Iroquois Falls. I'm surprised you don't know that. It's a very nice place.

"Whereas the Common Sense Revolution did not address the topic of privatization in prisons; and

"Whereas the Common Sense Revolution did, however, discuss issues relating to public safety;

"Therefore, we, the undersigned, petition the government of Ontario to eliminate any rumours of actual intentions to privatize the provincial correction facilities and therefore ensuring the people of the province peace of mind in knowing that the government of Ontario is still responsible for the safety and the security of this province."

I affix my signature to that petition.

HIGHWAY SAFETY

Mr Frank Miclash (Kenora): I have a petition on the issue that I referred to the Solicitor General earlier on. It's a petition to the Legislative Assembly of Ontario which reads:

"Whereas the Ministry of Transportation is intent on reducing northern winter road maintenance services; and

"Whereas such downgrading places the lives of northern residents at undue and unnecessary risk;

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow these reductions in service and to guarantee that winter roads across the northern regions of the province receive the necessary maintenance to ensure the safe passage of drivers."

I've attached my name to that petition as well.

The Speaker (Hon Allan K. McLean): The member for Beaches-Woodbine.

ADJOURNMENT MOTION

Ms Frances Lankin (Beaches-Woodbine): I move adjournment of the House.

The Speaker (Hon Allan K. McLean): The member for Beaches-Woodbine has moved the adjournment of the House.

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the nays have it.

Call in the members; a 30-minute bell.

The division bells rang from 1549 to 1619.

The Speaker: All those in favour will please rise and remain standing.

All those opposed will please rise and remain standing.

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 12, the nays 75.

The Speaker: I declare the motion lost.

Further petitions? The member for York Mills.

ORDER OF BUSINESS

Mr David Turnbull (York Mills): I move that the House now proceed to orders of the day.

The Speaker (Hon Allan K. McLean): The member for York Mills has moved that we proceed to orders of the day.

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. It will be a 30-minute bell.

The division bells rang from 1622 to 1652.

The Acting Speaker (Ms Marilyn Churley): Would the members please take their seats. I mean the member for Scarborough North as well. Thank you.

All those in favour of the motion, please rise and remain standing.

All those opposed?

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 64, the nays 10.

The Acting Speaker: I declare the motion carried.

ORDERS OF THE DAY

ADVOCACY, CONSENT AND SUBSTITUTE DECISIONS STATUTE LAW AMENDMENT ACT, 1995 LOI DE 1995 MODIFIANT DES LOIS EN CE QUI CONCERNE L'INTERVENTION, LE CONSENTEMENT ET LA PRISE DE DÉCISIONS AU NOM D'AUTRUI

Mr Harnick moved second reading of the following bill:

Bill 19, An Act to repeal the Advocacy Act, 1992, revise the Consent to Treatment Act, 1992, amend the Substitute Decisions Act, 1992 and amend other Acts in respect of related matters / Projet de loi 19, Loi abrogeant la Loi de 1992 sur l'intervention, révisant la Loi de 1992 sur le consentement au traitement, modifiant la Loi de 1992 sur la prise de décisions au nom d'autrui et modifiant d'autres lois en ce qui concerne des questions connexes.

Hon Charles Harnick (Attorney General, minister responsible for native affairs): Today this government is keeping its commitment to vulnerable people and their

families by tabling for second reading the Advocacy, Consent and Substitute Decisions Statute Law Amendment Act. On my own behalf and on behalf of my colleagues from the Ministry of Health and the Ministry of Citizenship, Culture and Recreation, I am introducing for debate a law that will reduce government interference in the private affairs of individuals and ensure that decision-making is in the hands of individuals and their families.

First, I would like to provide everyone with an overview of Bill 19. The Advocacy, Consent and Substitute Decisions Statute Law Amendment Act repeals the Advocacy Act, an act that is intrusive in the lives of vulnerable people, their families and care givers. It abolishes the Advocacy Commission, an expensive and unnecessary adjunct to existing services. It replaces the Consent to Treatment Act with the Health Care Consent Act, which will reduce delays in the treatment of people who are unable to make their own decisions, and it amends the Substitute Decisions Act to ensure powers of attorney will be protected.

It will reduce the barriers to family members who apply to be appointed statutory guardians. It will broaden the categories of family members who can apply to become statutory guardians. It will simplify the rules for making and using powers of attorney and it will clearly establish the government as the substitute decision-maker of last resort for people who have no one else to make decisions on their behalf.

I would like to highlight the key elements of the new Health Care Consent Act, which is included in Bill 19. Underlying the important changes this government is making to the law under the Consent to Treatment Act is our fundamental belief that health care professionals will act in the best interests of their patients. The Health Care Consent Act will eliminate the adversarial barriers between patients and providers, promote the role of the family in the treatment of mentally incapable relatives and reduce the bureaucratic red tape that can delay treatment.

Some of the major improvements to the law are that it promotes the role of the family in the care and treatment of their mentally incapable relatives; it reflects this government's fundamental belief that health practitioners will act in the best interests of their patients; and it streamlines the process for substitute decision-making for incapable persons.

It reduces bureaucratic red tape and complicated rules that can delay treatment for mentally incapable people. It eliminates the need to apply the act to treatments that carry little or no risk. It establishes a streamlined process for admissions to long-term care facilities and to personal assistance plans for residents of such facilities.

My colleague the Minister of Health will be speaking in greater detail about these and other improvements to the consent law.

I will now turn to the amendments to the Substitute Decisions Act. The Substitute Decisions Act was intended to create a set of rules for decision-making for mentally incapable people. The law prior to the Substitute Decisions Act had gaps and inconsistencies that confounded

some of Ontario's most distinguished legal counsel. While the Substitute Decisions Act was intended to codify much of the common law and bring it into the 1990s, it produced a complex web of rules that were difficult for everyone to follow.

Interjection.

Hon Mr Harnick: You know, Madam Speaker, it's too bad that the member for Cochrane South has absolutely no interest in protecting individuals in his riding who have to deal with the Substitute Decisions Act.

Mr Gilles Bisson (Cochrane South): Point of order, Madam Speaker.

The Acting Speaker (Ms Marilyn Churley): Could the Attorney General have his seat, please. I have a point of order.

Mr Bisson: I realize the member hasn't been here for a long, long amount of time, but he would know that you don't have the right in this chamber to impute motives on to another member. I do care about people in my riding, and especially those affected by this draconian bill that you're bringing forward.

The Acting Speaker: Would the Attorney General continue, please. That is not a point of order.

Hon Mr Harnick: The Substitute Decisions Act brought in by the last government was intended to codify much of the common law, which, as I said a moment ago, confounded even legal scholars. The intent of the Substitute Decisions Act was to bring the law into the 1990s, but the Substitute Decisions Act, as brought in by the last government, produced a complex web of rules that, again, were difficult to follow by those learned in the law, but even more important, and significantly more important, by those who had to rely on using the rules pertaining to substitute decision-making and powers of attorney and guardianship.

1700

As an MPP during the time the Substitute Decisions Act became law, I spoke to literally hundreds of members of the public in my riding of Willowdale who found this act too confusing and too complicated. Even before it became law, many members of the public were alarmed and needlessly frightened because of its complexity.

Mr Gilles Pouliot (Lake Nipigon): They were picking up forms by the hundreds, as you know.

The Acting Chair: The member for Lake Nipigon.

Hon Mr Harnick: They were picking up forms by the hundreds, and he's right. He's right that they were picking up forms because they were afraid of the act and they were afraid of what would happen if they didn't have those forms.

It was a very good thing that they were picking up the forms, and I'm going to continue to encourage that, but I do believe that what we have done with the bill takes away the fear of the last government's piece of legislation. I know that every member on that side, when they went around their ridings to talk about substitute decisions, heard about the fear that people had, and I'm going to go into that very briefly.

During my consultations with my constituents in Willowdale on this law, I came to understand that it does

not work as well as it could because its procedures are hard to follow. It also allows the government to intervene too much in people's affairs, and that's people's private affairs. It's my privilege to be able to address these problems by amending the Substitute Decisions Act.

Let me deal with the issue of powers of attorney. I have an important message for all citizens about powers of attorney. The act that we are now amending, the Substitute Decisions Act, allows a person to plan ahead by making a continuing power of attorney for property and a power of attorney for personal care. These can be very important and valuable documents. They allow an individual to appoint someone he or she trusts to make decisions if he or she becomes mentally incapable. I want to assure all Ontarians that these amendments will not invalidate existing powers of attorney.

Over the past few years, many citizens have planned ahead, as the member across the way shouted to me, by making powers of attorney, and this is a good idea. We had forms and kits and we will continue to have forms and kits so that they can do this without the necessity, in most cases, of dealing with a lawyer. We are not interfering in any way with these plans that people have made by preparing their own powers of attorney, so I repeat that existing powers of attorney will not be affected in an adverse way by the amendments that we are now bringing in.

It is an unfortunate reality that mental incapacity could happen to any one of us or to people we care about. I urge everyone in this province who hasn't done so to plan ahead. Acting now will ensure that your wishes are honoured, and that is very much the direction our amendments take. They are to ensure that the wishes of those who make powers of attorney will be honoured and that no one will be able to step in and take over from the power of attorney that people appoint to look after their affairs.

I would now like to talk a little bit more specifically about some of the improvements we are making to the Substitute Decisions Act. Our changes will preserve the good intentions of the act and address the flaws that undermine those intentions. The Substitute Decisions Act, the old act we are amending, is supposed to recognize and honour the choices individuals make when they are mentally capable. However, in practice it can frustrate them, thus causing the fear every member in this Legislature has heard about as a result of the original Substitute Decisions Act.

For example, currently under the act passed by the former government, an individual can make a continuing power of attorney and appoint a trusted family member or friend to look after his or her property. But later on he or she might be formally assessed and found incapable. At this point, the government would automatically step in and take over management of his or her property. To get back permission to manage the property, the person appointed to manage that person's property and affairs would have to apply to the public guardian and trustee.

This is an unacceptable level of government intervention in the private affairs of our citizens. We are addressing the legitimate concerns about this process that were raised by people all over the province. I can tell you that

I spoke to hundreds of people at seminars I gave on the Substitute Decisions Act in my riding who were more fearful about this particular aspect of the Substitute Decisions Act than of any other provision.

We are therefore amending the Substitute Decisions Act so that a continuing power of attorney for property will not be terminated when a person becomes mentally incapable. Ontarians have asked the government to stay out of their private financial affairs, and we are responding. We are going to honour the wishes people make when they sign their power of attorney appointing someone to look after them in the event that they should become incapable.

The Substitute Decisions Act was a step forward because it created new opportunities for individuals to plan ahead in case they became mentally incapable, by allowing them to make a power of attorney for personal care. The existing procedures for using such a power of attorney, if the need should arise, are expensive, time-consuming and complicated. They involve getting the power of attorney validated by obtaining two capacity assessments, filing these and a detailed guardianship plan with the public guardian and trustee, and then waiting for an advocate to visit the incapable person to give him or her rights advice.

Even after the attorney who has been appointed goes through this process, a confused, incapable person is allowed to stop the power of attorney from being used, contrary to that person's wishes when they were well and providing for the orderly management of that individual's personal care which they made when they were well. In reality, to be able to stop this orderly planning that a person can become involved with, and should become involved with, makes a power of attorney for personal care of little use to most people. No one wants that result.

Accordingly, the government is amending the old act, the Substitute Decisions Act, to make it easier for everyone to use these important and valuable powers of attorney for personal care.

The government will no longer be in the business of validating powers of attorney for personal care. Attorneys acting for incapable people will not be required to go through an elaborate procedure just to get formal acknowledgement of their authority to act on behalf of the incapable person. The power of attorney will speak for itself.

It was always intended that the public guardian and trustee should be the substitute decision-maker of last resort, only for those persons who have no one available to make decisions on their behalf. The old act, the Substitute Decisions Act, passed by the previous government does not go far enough in this regard.

As I said earlier, powers of attorney could be terminated when a person was found mentally incapable, resulting in the public guardian and trustee taking over management of a person's property.

Further, only the attorney or family members such as a spouse, partner, parent or child were allowed to apply to the public guardian and trustee to replace it as an incapable person's statutory guardian. This process was

supposed to allow them to look after the property of their incapable relatives without having to go to the trouble and expense of an application to court.

But there are lots of other family members, such as grandchildren, nieces and nephews or in-laws, who care very much for incapable people. Right now, they are prohibited by the law from becoming statutory guardians.

We know that families do not begin and end with parents, children or siblings. We are supporting incapable people and the family members who care for them by amending the Substitute Decisions Act, the old act, to allow any relative to apply to become a statutory guardian. This will include persons related by blood, marriage or adoption.

1710

We are also amending the act to give direction to the court that it should not appoint the public guardian and trustee when there is another suitable person available and willing to be guardian. This way the public guardian and trustee will truly remain the last resort.

There is another flaw in the old act, the prior government's Substitute Decisions Act, which we are amending, and that flaw creates an irrational barrier for family members who want to help an incapable person. A person assessed and found incapable of managing property can refuse statutory guardianship of the property or end it at any time, even though he or she remains incapable and in need of help.

This is not right. It requires family members to go to court to be allowed to resume management of the property. In the meantime, it places the person and property at risk.

This government is amending the act to provide that a statutory guardianship will only be terminated when the person is found to be capable again of managing property or by court order.

Being an attorney or a guardian can be a lot of responsibility and involve many hours of work. I wish to acknowledge the dedication and care that many people demonstrate in acting as attorneys or guardians. We want to support their efforts and encourage others to do this work.

That is why we are amending the Substitute Decisions Act to make it easier for people who act as guardians and attorneys. For example, they will continue to have to keep records, but will not be required to produce a separate, detailed report every year.

In addition, the existing act says that a guardian cannot admit a mentally ill person to a psychiatric hospital, if he or she objects, without a special court order. Often the need for this will not have been anticipated at the time the guardian went to court. A further trip to court is an unnecessary and even potentially harmful barrier to care, and we are removing it.

The current Substitute Decisions Act attempted to strike a balance between rights and protection. An individual's right to control his or her own life and the need for society to protect mentally incapable people are equally important principles. Rather than achieving a balance that addresses everyone's needs, the existing law

frequently places them in conflict. In making laws, we should be looking for ways to reduce conflict in people's lives wherever that is possible. A system out of balance serves no one.

In introducing this bill to amend the Substitute Decisions Act, this government is acting to create the proper balance, and that is: to honour the wishes and choices of capable persons and to provide assistance, support and care to those who are mentally incapable.

No longer will powers of attorney be terminated just because a person has become mentally incapable. No longer will an incapable, potentially seriously ill person be able to unknowingly obstruct treatment or assistance simply by refusing to accept the use of his or her power of attorney or guardianship of his or her property.

We are recognizing that people can be trusted to make good decisions. They trust in their family and friends as well as this government to ensure that they will receive the assistance and protection they will desperately need when they become incapable.

The amendments to the Substitute Decisions Act honour certain principles:

They honour the principle that this government is committed to honouring private financial arrangements under powers of attorney.

We are making it easier for more family members to become guardians of property without having to go to court.

We are reducing the barriers to family members who apply to be appointed as statutory guardians.

We are making it easier to use a power of attorney for personal care.

We are making it easier for people to act as attorneys and guardians.

We are making sure that the office of the public guardian and trustee is used as a last resort.

We are making sure that incapable people get rights information without interference and delay.

We are improving the government's commitment to protect incapable people from abuse.

We are encouraging the community to get involved with helping incapable adults.

In closing, this legislative package reduces government interference in people's lives and puts decision-making where it belongs: in the hands of individuals and their families. Anyone who campaigned in the last election knows and any member of this Legislature who held seminars in his or her riding knows the fear that was instilled in people by the former Substitute Decisions Act.

It was a good act and it was a good start. What we are doing is responding to the wishes of families and family members who believe that with these improvements we will have an act that strikes the proper balance between families who want to look after their incapable loved ones and the role of the government as the last resort to get involved in people's private affairs.

We're responding to the province-wide expressions of concern and confusion following the proclamation of the

previous legislation. We have listened and now we are taking action. Once again our government is living up to the commitments we made prior to being elected.

The Acting Speaker (Mr Gilles E. Morin): Are there any questions or comments?

Mr Bisson: I'm going to take time later on in this debate to participate more fully, but I want to make a couple of points on the heels of the comments made by the Attorney General.

I want to say two things to the government. First of all, we've got a government here that's been elected and has come into the House and over the first part of its term has done nothing in terms of introducing any new legislation. In fact, what they're doing is an agenda of repealing legislation from the previous government.

Mr Marcel Beaubien (Lambton): We have to clean up the mess before we start building.

Mr Bisson: I want you to listen to this. You should pay attention, because you're setting one heck of a precedent in this House. A government was duly elected by the people of Ontario—or if it happened in any jurisdiction, for that matter—and in good faith, after consultations with the people it represents throughout this province, put in place legislation to respond to a number of concerns. For a government to be elected after that and start repealing one piece of legislation after another and basically doing away with someone else's agenda sets one heck of a precedent for other governments that come after to do the same thing, and the next time possibly to come back with an omnibus bill wiping out the entire work of a government over a period of four or five years. You're setting a very dangerous precedent here, and it's something we're going to get an opportunity to speak about at greater length later.

The only other thing I would like to say on the bill at this point is that the Attorney General talked about the power of attorney and how it had put fear into a number of people across the province of Ontario. I was one member who was very, very active in his community, meeting with seniors and with all kinds of different people on the question of the power of attorney, and at no time at any of the public meetings—I've had some where 300 people showed up—were people in fear after it was explained what this was all about. They understood it to be what it was: an easing of the process so somebody can attain a power of attorney and not have to sit in your lawyer's office and pay the lawyer anywhere from \$50 to \$300 to get the power of attorney.

Mr David Tilson (Dufferin-Peel): I'd like to congratulate the Attorney General for being so prompt in honouring a commitment this government made during the election campaign.

The previous speaker mentioned a number of things, but if he talked to his electorate, one of many things the electorate was concerned about was how the government was getting into the face of private families.

People wanted to administer their children's problems, their parents' problems, and they were simply bowled over by this terrible legislation that created an \$18-million bureaucracy called the Advocacy Commis-

sion. One of the main purposes of this legislation is to get rid of that unnecessary expense that was put forward by the last government.

I can tell you that in my riding, and I'm sure in many of the ridings of members throughout this House, one of the concerns—we had hearings trying to explain this legislation. Nobody could understand it, and that's the second thing this legislation is going to do, as put forward by the Attorney General: clarify much of the confusion that has been put forward. The chaos that was created for people in the medical profession, in long-term care, and particularly people like the schizophrenic associations, they were completely lost by this legislation. They were overwhelmed by the unnecessary confusion.

1720

The Advocacy Commission, as I indicated, was creating such things as advocates—no one really knew what they were—who were literally interfering in the private lives of individuals. The cost of that commission was, within the first eight months I believe of the commission's existence, something to the extent of \$18 million.

I congratulate the Attorney General for being so prompt in responding to a very serious social problem.

Mrs Margaret Marland (Mississauga South): I too would like to congratulate the Attorney General, not only for this legislation but for the promptness with which he and his staff have been able to deliver this bill to this House.

The Attorney General mentioned that if some of us held public meetings and public forums on the previous Advocacy Act we certainly were made aware by the public of their major concerns and questions about some aspects of that legislation. Certainly, some aspects of that legislation were very good. The direction was very good, and overall I guess we can say that it was well-meaning and it was well-intentioned. However, it did need some changes, and these are the changes that are now before this House.

I would say simply to the member for Cochrane South that when he says governments are duly elected with a responsibility, he's absolutely right. When the NDP ran for election in 1990, they didn't talk about what they would do in terms of advocacy and consent, and yet they passed a bill—in fact, it became effective in April of this year—that caused a lot of questions and consequently a lot of concerns.

But this government, this Mike Harris Conservative government, was elected with a mandate, because in our Common Sense Revolution we said what our concerns were and we also said what changes we would make, and we were elected with a mandate of 82 members, I'm proud to say. I'm happy that today another piece of legislation which was promised in our campaign is being fulfilled.

Mrs Helen Johns (Huron): I would just like to take a minute to thank again the Mike Harris government for bringing about this act. There are some very important health care considerations in this act that needed to be addressed and have been done in this act.

What we have tried to do is take away the adversarial barriers that were put up in the previous act and try and make people aware of the fact that they are in charge of their own health care. What we are saying is that we're going to eliminate the intrusive bureaucracy that came about through the last act and we're going to restore the role of the family in the care and treatment of their family and their close family members. It's very important to us to allow the family to make the decisions about what they believe is right for their family. This Health Care Consent Act does that for us.

This consent act also talks about the health care practitioner. It is important for us to restore the faith that people like us have in their health care professionals. We have to have a belief that they're acting in our best interests, that they're giving us the information that we need and they will continue to do that to ensure that they act with us and our families to make the best use of the health care industry and the treatments that we as people need.

Some of the other things that this act does is it restores hope in the profession, it reduces red tape and it restores balance between individuals' rights and the need for care and treatment. It's a good act. People in Ontario will be happy to have health care that allows them to make decisions for their families, and I'm sure that in the long run everyone, as they read this bill, will be very happy from the health perspective.

The Acting Speaker: Minister, you have two minutes to reply.

Hon Mr Harnick: These amendments, particularly the amendments that I am directly responsible for, which are the amendments to the Substitute Decisions Act, are amendments that were spawned as a result of the fear that people had, and every one of the members of this Legislature heard what those fears were.

I held seminars prior to the last election across my riding and literally spoke to more than a thousand people. The recurring theme at every one of these seminars was, "The only reason we are preparing a power of attorney is to protect us against the government, and even at that, the government can still step in and replace the person we choose as our attorney with the public guardian and trustee."

What I want to tell people in the province of Ontario is that we have remedied this act by making amendments and proposing amendments that I hope will become law very soon to ensure that the wishes of someone who appointed an individual to be their attorney cannot be overturned in any circumstances and thereby inject the government, in the form of the public guardian and trustee, to take over the management of their affairs. More than anything else, this is the keynote part of this bill.

In addition, we've expanded the availability of family members and the numbers who can participate in volunteering to look after their loved ones, and we've made it easier for them to do that.

This bill is a direct response to what the people of Ontario were telling us. There is no longer any reason to fear.

The Acting Speaker: Further debate?

Mrs Elinor Caplan (Oriole): Mr Speaker, there has been agreement, unanimous consent, that myself and the additional critic can share the 90-minute opener. I'll be beginning for our party.

The Acting Speaker: Is there unanimous consent? Agreed.

Mrs Caplan: Actually, the legislation that is before us, known as Bill 19, is something that I care a great deal about and that I've had extensive experience with. The issues of the Substitute Decisions Act, the Consent to Treatment Act and the Advocacy Act were something that took a great deal of my time in a former life as the Minister of Health for the province of Ontario from 1987 until 1990.

While the Attorney General has carriage of this bill, and the Substitute Decisions Act clearly appears to be a justice bill, the Consent to Treatment Act and the Advocacy Act have their roots grounded in the Ministry of Health as well as the Ministry of Community and Social Services.

So today what I thought I would do, to help explain what's going on to the people of the province who are watching this and wondering what the rhetoric is all about, is to try and cut through some of the rhetoric and deal with a little bit of the history of the legislation and the changes that we are seeing today, some of which I support, some of which we will be proposing amendments to when it gets to committee and some of which we frankly have concerns about.

But I want to say at the beginning of the debate that while we reserve the right at committee—and I've had the assurance of the government that this will go to committee—to identify areas where we have concern, propose amendments and, at the end of the day, if the government hasn't responded to those concerns, to not support the package of legislation, since this is a second reading debate, my caucus will be supporting the package of legislation in principle on second reading. I wanted to say that up front so that while we get into the substance of the discussion and the debate, that is clear.

1730

The package of legislation that is before us comes from years of identified need to address some very specific and fundamental issues. The package of legislation was required because prior to the legislation that was presented by the previous government, the NDP Rae government, there was no comprehensive legislation that dealt exclusively with areas of consent to treatment. You did have some dealt with under the Mental Health Act, some under the Child and Family Services Act under the responsibility of the Ministry of Community and Social Services, and some under the Public Hospitals Act, Ministry of Health.

Prior to the legislation that was tabled, you could not appoint anyone to make decisions for you, if you became incapable, for the purposes of health and personal care decisions. You could appoint someone, you could have a power of attorney, for financial services and financial responsibility. That has been the law in Ontario for quite

some time. But as medical treatments have become more complex, and also the whole notion of living wills, something that people felt strongly they wanted to be able to give, pre-determination—that is, instructions while they were still able—was not possible in Ontario.

So it was deemed necessary to have legislation, called the substitute decisions legislation, which brought up to date the power of attorney legislation for financial and property, and brought in a new right, which was the right to designate someone, while you are capable, who will make decisions for you when you are deemed incapable and incompetent.

Further, and one of the features that I feel is particularly important in the substitute decisions legislation, is that it allows me or you, anyone in this province who is able and capable and deemed competent, to give advance directives. In other words, you can place restrictions, you can tell them what you want, and the person you designate to make decisions for you says they must follow the direction that you have given. So we have the substitute decisions legislation. I will be dealing with that as we go through.

I understand that the Attorney General's parliamentary assistant, Mr Tilson, is going to be sitting in during the debate. That's great.

Back to my thought. So the substitute decision legislation was enacted. I held forums in my riding. People were very pleased to know that they had a new right, and that was the right to a power of attorney. Many of them believed that a power of attorney had to be an attorney and that an attorney under the legislation was a lawyer. In fact, what they found out was that anyone they appointed was called their attorney. From there, they learned a great deal about this new right to decide who would decide when they were unable to decide.

But just as the Attorney General mentioned, there were also a great number of fears about how this would work. Was it complicated? Did they need to see a lawyer? Did they need to spend money to have this done? What would happen if they hadn't signed a power of attorney? Those issues were very important to be cleared up, and frankly, one of the things that I said when I held those forums is that no piece of legislation is ever perfect, and only until it is in practice do you see what amendments are needed.

From my review of Bill 19, the amendments to the Substitute Decisions Act are primarily technical. They respond to the concerns that people had that the government would not intervene unnecessarily or unduly, that if a power of attorney were made, it would be supreme, and it clarifies very appropriately the concerns that people had about the way the legislation was functioning.

What the substitute decision amendments do I think is very important, because what this is all about is simplicity. This new piece of legislation simplifies the process for appointing and activating powers of attorney. That's important. People don't want it to be complicated. What it does is it makes the public guardian and trustee's office the last-resort decision-maker.

People need to know that there's always going to be that office of the public guardian and trustee as a last

resort, but no one wants the government interfering in their business if there is someone—a member of their family or a friend—who can come forward and take on that responsibility. I think it's important that "member of family" was amended to include in-laws, because very frequently it is not the blood relation who becomes the caregiver and who looks after the individual. That's a very positive amendment.

As I begin my comments, I want to point out that in this House I've stood in my place and I've said to the Minister of Health and to the government that when you do something that I believe is in the public interest and I believe is good, I'll stand in my place and I will say that is in the public interest. I believe that your amendments to the substitute decisions legislation are in the public interest and they are substantially good amendments. I'll be looking forward to reviewing them in more detail at committee.

I'm not going to spend too much more time. It does take from the legislation references to advocates. I also think that is appropriate, especially given your decision on advocacy. However, I will be dealing with my own views regarding advocates and advocacy and that legislation in just a few minutes.

As I move from the substitute decisions legislation to the consent legislation, I thought I would take a few minutes to read into the record once again the principles that guided the policy development. What's really key about this is that those principles were agreed to by all of those who were consulted, by the public and all of those who said, "Are these the right principles that consent and advocacy legislation and guardianship and substitute decisions legislation should be founded on?"

To this day I have not found anyone who says these are the wrong principles, so I'll put them on the record and perhaps digress as I read them to give my interpretation to them. I would note that the substitute decisions legislation was supported by all three parties in the Legislature in the last session. I did want to make that point that we did support it then and we support the amendments now.

"Principle 1" for the development of policy for consent to treatment and advocacy is that the legislation should "Apply to all health care professionals, to all health services and in all health settings."

That, I think, speaks for itself. What you really want is some comprehensive policies so that you're not treated differently if you are in a psychiatric hospital or in a general hospital or in a community clinic, that wherever you happen to be seeking your treatment the same rights and obligations apply.

"Principle 2: Set out the elements that constitute a valid consent—that an individual be mentally competent and give a voluntary and informed consent."

There has been much debate and over the years there had been numerous horror stories. While I listened to some of the rhetoric side, I want them to remember and perhaps go to the legislative library and look up the report by Fram, the report by O'Sullivan and the report by Manson. Those were the three reports. Each one

identified a need for policy in this important area, and there were examples of human suffering because it wasn't as simple as leaving it to the family, it wasn't as simple as trying to define competency.

At this point I would like to applaud the work of Dr David Weisstub, the work that he's done in determining competency. This is an issue that has plagued mankind for many, many years. As we have seen psychiatric care and mental health services evolve from the days of the snake pit, we should not ever believe that we can be lax about our determination to make sure that people are treated humanely and fairly and, wherever possible, have the right to object to the treatments that they are receiving. There's always been a need for finding that balance. I'm not sure that we have appropriately found that balance to this point in time and it's probably something that we will struggle with as time goes on.

1740

"Principle 3: Specifies that individuals under age 16 are deemed incompetent to consent to health services, but that presumption may be rebutted based on the mental competency of a patient between the ages of 12 and 16."

I know this particular principle was one that was hotly debated in this House, and I know even at the cabinet table, as to where that line should be drawn. This legislation does not propose any amendments to the age, and I think that's right. The legislation as it exists and as it is on the books, let it be tested is my view. Let's see how it works. Let's not interfere with something that doesn't appear to be broken at this point. There are always those who will argue and debate as to what the appropriate age level is.

"Principle 4: Permits health care providers to determine the mental competency of a patient."

Perhaps this was the place where I should have complimented David Weisstub. The literature is there. It is always necessary to allow the patient to object to findings of incompetency, and that is where you need to have the Consent and Capacity Board—it's now called the board; it was the review board—where people who say—for example, there are some who would say to me, "Eleanor, we don't think you're mentally competent," and I would like to be able to say: "I think I am. Give me the opportunity to prove that."

We've heard the horror stories about families who want to put old Aunt Nellie away and take over her estate before she's gone, and those are the stories that we've heard too. Let's have someone declared incompetent and take over their lives, both their financial resources and their ability to make their own decisions about what they want when it comes to health care. You know, let's stick them in an institution. Let's force them into a nursing home.

Well, for some people who feel they are able and capable and competent to live in the community, the family should not be able, in my view, to force them against their will into an institution. So you have to have in place those rights and procedures to often protect the individual from those who may be very well meaning and think they know best, but as long as the individual is

competent and able to say what they want, even where there are risks involved—even where there are risks involved—my own view is that the right of the individual should be supreme in these matters as long as they're not placing themselves in serious jeopardy, and I think that principle is contained in this legislation.

"Principle 5: Provides for a review board (similar to that established under the Mental Health Act)"—now to be called the Consent and Capacity Board—"to make the following decisions, as well as an appeal to a court from such decisions: (a) a finding of mental incompetency; (b) a decision by a substitute decision-maker to admit a mentally incompetent person to a health care facility to receive health services in the manner set out in the Mental Health Act for informal patients between the ages of 12 and 16."

"Principle 6: Establish who is authorized to give substitute consent when a person is determined to be mentally incompetent."

It provides that a guardian would be listed first and the person named in a durable power of attorney would be named second, again guarding the rights of the individual. What we have is the substitute decisions legislation which codified that principle and that desire.

"Principle 7: Provides that a substitute decision-maker may only consent to therapeutic health services and, therefore, excludes all non-therapeutic procedures from the legislation."

I believe that those debates have been important and that the state should not interfere in clinical decision-making, but the individual has a right to know, and I'll be dealing with that in just a moment.

"Principle 9: Establishes provisions for 'living wills'—permitting mentally competent persons to draw up a durable power of attorney naming a person who will consent to health services if he/she becomes mentally incompetent. Permits individuals to state limits on the type of health services desired or refused."

That is the substitute decisions legislation, and I believe that is good.

"Principle 10: Provides for an exception to consent to health services allowing a health care professional to provide health care services without consent where an individual is unconscious or otherwise incompetent and the patient has expressed no contrary intention."

This is quite controversial, but I have always believed that it is very important for providers of health services to be able to act in an emergency, and this legislation removes liability from those who do.

I will tell a story at this time, a very unfortunate story. I don't blame it on the legislation. I blame it on lack of education and information to the providers, because I believe that the old legislation that is being amended by the new consent legislation should have permitted treatment to be given, because under the old legislation treatment could be permitted where the patient was deemed to be in imminent danger, where it was an emergency, and that was a clinical judgement.

The Clemens family has had a tragedy. Their son, developmentally handicapped, had a tremendous fear of doctors and of hospitals, but he was subject to, unfortu-

nately, recurring episodes of bowel impaction. He went to the hospital and on one occasion he was deemed incompetent, and they went on another occasion, after this legislation was proclaimed, and he refused treatment.

But it was clear, I believe, to the parents, who begged for treatment, that the son did not understand the implications of treatment refusal, and in that case he was probably incompetent once again. Treatment was withheld until a senior physician came in and examined the boy and ordered the treatment, but the boy died of heart failure—a tragic, tragic case.

The Clemens family are constituents of mine, and I said to them that it has always been difficult to advise people to see a lawyer in these kinds of situations but I advised that they do that, because I felt the law was clear that emergency treatment could be delivered. Most doctors should, in my view, when they believe that someone's life hangs in the balance, risk the lawsuit against treatment against will rather than risk a coroner's inquest and death.

I wanted to just tell that story because, as I said, I'm not sure that the existing legislation changes that balance in a way which is positive, and I do worry that treatment can still be denied. I worry that professionals will not inform incompetent patients or patients they have deemed incompetent of their right and that we will see people have treatments imposed on them that they really don't want and that are not life-threatening.

So there is a balance and a line, and while I told the one story you would think, "Well, she's going to support giving absolute right of treatment," but we have to look at this in a very thoughtful way and make sure that professionals cannot impose treatment on individuals who don't want it, reasonably, and as long as the patient fully understands the implications of the risk. Perhaps there has to be some way of responding to that desire, what I call the right to refuse treatment, if you are competent to know what the outcome may be.

That's what we deal with in living wills, where people can give advance directive that says, "I only want treatment for pain" or "I don't want treatment unless it's treatment for cure." Unfortunately, I worry about how we have drawn that line about the right to impose treatment versus the right to refuse treatment. There are some who would argue it's the right to be well versus the right to be sick, and I understand the concerns of organizations such as the Ontario Friends of Schizophrenics. I believe that we have to make sure that line provides appropriate care appropriately and that people are treated and are able to be well.

1750

Those who are able to give advance directive of what will happen when they're incompetent solve that problem for all of us, but there will always be that issue. I just wanted to raise that in this House today, because I feel very strongly that we have to constantly struggle with that balance. If any of you think you have found the solution or that you're right and there's a definitive answer, there is not. I wish there were.

The other principle I'd like to place on the record—I believe I'm at principle 11—provides for notification to be given to mentally incompetent patients of their rights

and provides advocacy mechanisms to enable patients to exercise those rights. That leads us into a discussion of the advocacy legislation. Before I leave the area of consent, there are a few things I would like to say about consent to treatment.

The consent to treatment allows a person to select a substitute decision-maker, and that's the tie-in with the substitute decisions legislation. It eliminates all the requirements that rights advice or notices respecting rights advice be provided.

I did not support the previous Consent to Treatment Act and I did not support the advocacy legislation because I felt it was bureaucratic, legalistic, adversarial, anti-professional, that it was cumbersome and extremely costly, in fact unaffordable.

I'm not one who too often says "I told you so," but I would like to put on the record comments I made February 7, 1995. I said:

"I have some very serious concerns about the three pieces of legislation that are before us," referring to consent, advocacy and substitute decisions, "because what I see is the development of a huge bureaucracy, at enormous cost, at the expense of service. Unless those issues are addressed, my own view on the models that have been identified, particularly for advocacy successors, rights advisers and all that, is that the population may not get the services it requires simply because there are no additional or new resources out there.

"Given the deficit and debt situation the province is facing, no one clearly has a reasonable expectation that there are pots of new money or money trees. In trying to move it from one place to another, you're not going to have the resources necessary" to provide for the costly advocacy model that the previous, NDP government put in place.

I say that's unfortunate, because Fram's report, O'Sullivan's report and Manson's report all identified a definite need for advocacy services. We already have advocacy support through the provincial Psychiatric Patient Advocate Office, which is located at the Ministry of Health. We have advocates around the province who are doing what they can in many different ways. Many of them are social workers.

My view was always that an advocacy office—you could call it a commission or whatever—didn't have to be expensive, didn't have to be bureaucratic; that you could make sure people knew what their rights were, and if they required the intervention of an advocate, there were ways of providing it that were cost-effective, in fact inexpensive.

Most hospitals have patients' rights advisers. Those are advocates; they're there already. My view was always that the consent to treatment legislation—extremely important—shouldn't be bureaucratic. You don't need rights advisers coming in at great expense; you could use the existing personnel and you could develop an advocacy office that would do the education, both for providers and consumers, in a very inexpensive way.

I despair that this legislation removes all advocacy services, removes all rights advice. One of the concerns

I have and one of the amendments we will be proposing at committee is a right-to-know clause. Individuals must be told what their rights are. They must be told whether they are competent or incompetent. It's much easier, of course, to have a conversation with someone you think is competent, but as I said before, someone might think I'm not competent and I might want to argue about that and there is a review board in place to do that. But if I don't know that's possible, how can I take advantage of that opportunity? I believe everyone has the right to know.

I also believe there's a way of doing that at no cost. I'm glad the Minister of Health is here, and I hope he will consider this suggestion. There are professional colleges for the regulated health professions and they have been given responsibility to regulate the professions. They have also been given the authority in areas such as sexual harassment, sexual impropriety, to develop guidelines and procedures and protocols. I believe it would be very appropriate to include in the consent to treatment legislation an obligation that the colleges develop clinical guidelines and that the profession is then held accountable for following that right-to-know obligation. It costs nothing; in fact, it fosters communication between the professional and the patient, and that's what you want in informed consent.

There have been court cases and difficulties for many health providers where it was deemed that they had not been given proper information and that consent had not been given. It's my view that there are some safeguards we can put in that would safeguard the providers. If you spoke to the governing colleges, I think that is something they could do. It is within their mandate. It would not be government intrusion. It's not bureaucratic. I believe the colleges could establish those kinds of clinical guidelines to make sure that providers have an obligation to let people know what their rights are.

I will be putting forward that amendment. I would be happy if the government chose to put forward that amendment, and we would support it. It is important that people know what their rights are so they can exercise those rights.

There are a few other things being done in the consent to treatment legislation that I think are positive, and I want to put that on the record. It clarifies the permission for emergency treatment without the consent of an incapable person or of an apparently capable person if there are language barriers. I think that's good. In an emergency situation, if the individual doesn't understand, even if you think they're capable but you can't communicate with them—there's no way you can get translation for them—to deny them treatment because you can't communicate with them is not in their interests.

That's a very important addition to this legislation. It will apply only to emergency situations, and I hope it won't be used too often. But in a highly multicultural society where so many of the elderly have language barriers and may not have someone with them who can explain it to them, there has to be the opportunity to give them the treatment they need in a timely manner. I think that's positive, and clarifying the permission to treat and the lack of liability if you treat in good faith in an

emergency I think would mean that the Clemens situation would never happen again, because it gives comfort to the profession. I don't think it should have happened under the old legislation, but this does clarify it.

The other thing it does that I think will be a little controversial, but that I support, actually, is that it allows consent to apply to fewer treatments. It exempts anything that is considered to be no-risk or low-risk. I think it was always intended that you would get consent for anything that was going to hurt you and have potential harm. The notion of risk of harm is very clear in the regulated health professions legislation, so to see it repeated here is something I support.

The fact that this legislation streamlines the procedure for substitute decision-making as well as the treatment for incapable people and a review process for people who decide to dispute a finding of incapacity is also good. I've been very impressed with the functioning of the Consent and Capacity Review Board. The fact that you want to change its name to Consent and Capacity Board is just fine with me. I would like you to give them the authority, which they don't have now, very specifically to do two things which I think might be a first step in the

area of providing support for those in need of advocacy services and those in need of education, primarily the professionals, and policy development.

My proposal is as follows: Because most everyone believes that this kind of policy development is best done by an independent body, I think the Consent and Capacity Board is the right place to do it. You could have an office of advocacy established. You don't need a lot of people. You could have an advisory committee. All of the advocate organizations who are grieving over the loss of the Advocacy Commission I think would be happy to participate on a voluntary basis to see that advocacy services which already exist could be coordinated, that the role would be to identify what's out there, where the gaps in services are, see that policy was developed. While I use the word "office," I don't mean big; I mean small. I believe most of it could be done voluntarily by existing organizations and with very few resources that are already available with that Consent and Capacity Board.

The Acting Speaker: It being 6 of the clock, this House stands adjourned until 10 of the clock tomorrow morning.

The House adjourned at 1800.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Lt Col The Hon / L'hon Henry N.R. Jackman CM, KStJ, BA, LLB, LLD

Speaker / Président: Hon / L'hon Allan K. McLean

Clerk / Greffier: Claude L. DesRosiers

Senior Clerk Assistant and Clerk of Journals / Greffier adjoint principal et Greffier des journaux: Alex D. McFedries

Clerk Assistant and Clerk of Committees / Greffière adjointe et Greffière des comités: Deborah Deller

Sergeant at Arms / Sergent d'armes: Thomas Stelling

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma	Wildman, Bud (ND)	Hastings-Peterborough	Danford, Harry (PC)
Algoma-Manitoulin	Brown, Michael A. (L)	High Park-Swansea	Shea, Derwyn (PC)
Beaches-Woodbine	Lankin, Frances (ND)	Huron	Johns, Helen (PC)
Brampton North / -Nord	Spina, Joseph (PC)	Kenora	Miclash, Frank (L)
Brampton South / -Sud	Clement, Tony (PC)	Kingston and The Islands / Kingston et Les Îles	Gerretsen, John (L)
Brant-Haldimand	Preston, Peter L. (PC)	Kitchener	Wetlaufer, Wayne (PC)
Brantford	Johnson, Ron (PC)	Kitchener-Wilmot	Leadston, Gary L. (PC)
Bruce	Fisher, Barb (PC)	Lake Nipigon / Lac-Nipigon	Pouliot, Gilles (ND)
Burlington South / -Sud	Jackson, Hon / L'hon Cameron (PC) Minister without Portfolio (Workers' Compensation Board) / ministre sans portefeuille, ministre responsable de la Commission des accidents du travail	Lambton	Beaubien, Marcel (PC)
Cambridge	Martiniuk, Gerry (PC)	Lanark-Renfrew	Jordan, Leo (PC)
Carleton	Sterling, Hon / L'hon Norman W. (PC) Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce	Lawrence	Cordiano, Joseph (L)
Carleton East / -Est	Morin, Gilles E. (L)	Leeds-Grenville	Runciman, Hon / L'hon Robert W. (PC) Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels
Chatham-Kent	Carroll, Jack (PC)	Lincoln	Sheehan, Frank (PC)
Cochrane North / -Nord	Wood, Len (ND)	London Centre / -Centre	Boyd, Marion (ND)
Cochrane South / -Sud	Bisson, Gilles (ND)	London North / -Nord	Cunningham, Hon / L'hon Dianne (PC) Minister of Intergovernmental Affairs, minister responsible for women's issues / ministre des Affaires intergouvernementales, ministre déléguée à la Condition féminine
Cornwall	Cleary, John C. (L)	London South / -Sud	Wood, Bob (PC)
Don Mills	Johnson, Hon / L'hon David (PC) Chair of the Management Board of Cabinet / président du Conseil de gestion	Markham	Tsubouchi, Hon / L'hon David H. (PC) Minister of Community and Social Services / ministre des Services sociaux et communautaires
Dovercourt	Silipo, Tony (ND)	Middlesex	Smith, Bruce (PC)
Downsview	Castrilli, Annamarie (L)	Mississauga East / -Est	DeFaria, Carl (PC)
Dufferin-Peel	Tilson, David (PC)	Mississauga North / -Nord	Snobelen, Hon / L'hon John (PC) Minister of Education and Training / ministère de l'Éducation et de la Formation
Durham Centre / -Centre	Flaherty, Jim (PC)	Mississauga South / -Sud	Marland, Margaret (PC)
Durham East / -Est	O'Toole, John R. (PC)	Mississauga West / -Ouest	Sampson, Rob (PC)
Durham West / -Ouest	Ecker, Janet (PC)	Muskoka-Georgian Bay / Muskoka-Baie-Georgienne	Grimmett, Bill (PC)
Durham-York	Munro, Julia (PC)	Nepean	Baird, John R. (PC)
Eglinton	Saunderson, Hon / L'hon William (PC) Minister of Economic Development, Trade and Tourism / ministre du Développement économique, du Commerce et du Tourisme	Niagara Falls	Maves, Bart (PC)
Elgin	North, Peter (Ind)	Niagara South / -Sud	Hudak, Tim (PC)
Essex-Kent	Hoy, Pat (L)	Nickel Belt	Laughren, Floyd (ND)
Essex South / -Sud	Crozier, Bruce (L)	Nipissing	Harris, Hon / L'hon Michael D. (PC) Premier and President of the Executive Council / premier ministre et président du Conseil exécutif
Etobicoke-Humber	Ford, Douglas B. (PC)	Norfolk	Barrett, Toby (PC)
Etobicoke-Lakeshore	Kells, Morley (PC)	Northumberland	Galt, Doug (PC)
Etobicoke-Rexdale	Hastings, John (PC)	Oakville South / -Sud	Carr, Gary (PC)
Etobicoke West / -Ouest	Stockwell, Chris (PC)	Oakwood	Colle, Mike (L)
Fort William	McLeod, Lyn (L) Leader of the Opposition / chef de l'opposition	Oriole	Caplan, Elinor (L)
Fort York	Marchese, Rosario (ND)	Oshawa	Ouellette, Jerry J. (PC)
Frontenac-Addington	Vankoughnet, Bill (PC)	Ottawa Centre / -Centre	Patten, Richard (L)
Grey-Owen Sound	Murdoch, Bill (PC)	Ottawa East / -Est	Grandmaître, Bernard (L)
Guelph	Elliott, Hon / L'hon Brenda (PC) Minister of Environment and Energy / ministre de l'Environnement et de l'Énergie	Ottawa-Rideau	Guzzo, Garry J. (PC)
Halton Centre / -Centre	Young, Terence H. (PC)	Ottawa South / -Sud	McGuinty, Dalton (L)
Halton North / -Nord	Chudleigh, Ted (PC)	Ottawa West / -Ouest	Chiarelli, Robert (L)
Hamilton Centre / -Centre	Christopherson, David (ND)	Oxford	Hardeman, Emie (PC)
Hamilton East / -Est	Agostino, Dominic (L)	Parkdale	Ruprecht, Tony (L)
Hamilton Mountain	Pettit, Trevor (PC)		
Hamilton West / -Ouest	Ross, Lillian (PC)		

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Parry Sound	Eves, Hon / L'hon Ernie L. (PC) Deputy Premier, Minister of Finance, government House leader / vice-premier ministre, ministre des Finances, leader parlementaire du gouvernement	Scarborough North / -Nord	Curling, Alvin (L)
Perth	Johnson, Bert (PC)	Scarborough West / -Ouest	Brown, Jim (PC)
Peterborough	Stewart, R. Gary (PC)	Simcoe Centre / -Centre	Tascona, Joseph N. (PC)
Port Arthur	Gravelle, Michael (L)	Simcoe East / -Est	McLean, Hon / L'hon Allan K. (PC) Speaker / Président
Prescott and Russell / Prescott et Russell	Lalonde, Jean-Marc (L)	Simcoe West / -Ouest	Wilson, Hon / L'hon Jim (PC) Minister of Health / ministre de la Santé
Prince Edward-Lennox- South Hastings / Prince Edward-Lennox- Hastings-Sud	Fox, Gary (PC)	Sudbury	Bartolucci, Rick (L)
Quinte	Rollins, E.J. Douglas (PC)	Sudbury East / -Est	Martel, Shelley (ND)
Rainy River	Hampton, Howard (ND)	Timiskaming	Ramsay, David (L)
Renfrew North / -Nord	Conway, Sean G. (L)	Victoria-Haliburton	Hodgson, Hon / L'hon Chris (PC) Minister of Natural Resources, Minister of Northern Development and Mines / ministre des Richesses naturelles, ministre du Développement du Nord et des Mines
Riverdale	Churley, Marilyn (ND)	Waterloo North / -Nord	Witmer, Hon / L'hon Elizabeth (PC) Minister of Labour / ministre du Travail
S-D-G & East Grenville / S-D-G et Grenville-Est	Villeneuve, Hon / L'hon Noble (PC) Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales, ministre délégué aux Affaires francophones	Welland-Thorold	Kormos, Peter (ND)
St Andrew-St Patrick	Bassett, Isabel (PC)	Wellington	Arnott, Ted (PC)
St Catharines	Bradley, James J. (L)	Wentworth East / -Est	Doyle, Ed (PC)
St Catharines-Brock	Froese, Tom (PC)	Wentworth North / -Nord	Skarica, Toni (PC)
St George-St David	Leach, Hon / L'hon Al (PC) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement	Willowdale	Harnick, Hon / L'hon Charles (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Sarnia	Boushy, Dave (PC)	Wilson Heights	Kwinter, Monte (L)
Sault Ste Marie / Sault-Sainte-Marie	Martin, Tony (ND)	Windsor-Riverside	Cooke, David S. (ND)
Scarborough-Agincourt	Phillips, Gerry (L)	Windsor-Sandwich	Pupatello, Sandra (L)
Scarborough Centre / -Centre	Newman, Dan (PC)	Windsor-Walkerville	Duncan, Dwight (L)
Scarborough East / -Est	Gilchrist, Steve (PC)	York Centre / -Centre	Palladini, Hon / L'hon Al (PC) Minister of Transportation / ministre des Transports
Scarborough-Ellesmere	Mushinski, Hon / L'hon Marilyn (PC) Minister of Citizenship, Culture and Recreation / ministre des Affaires civiques, de la Culture et des Loisirs	York East / -Est	Parker, John L. (PC)
		York Mills	Turnbull, David (PC)
		York-Mackenzie	Klees, Frank (PC)
		York South / -Sud	Rae, Bob (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
		Yorkview	Sergio, Mario (L)

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

**STANDING COMMITTEES OF THE LEGISLATIVE ASSEMBLY
COMITÉS PERMANENTS DE L'ASSEMBLÉE LÉGISLATIVE**

Administration of justice / Administration de la justice

Chair / Président: Gerry Martiniuk
Vice-Chair / Vice-Président: Ron Johnson
Marion Boyd, Robert Chiarelli, Sean G. Conway,
Ed Doyle, Garry J. Guzzo, Howard Hampton,
Tim Hudak, Ron Johnson, Frank Klees,
Gary L. Leadston, Gerry Martiniuk, John L. Parker,
David Ramsay, David Tilson
Clerk / Greffière: Donna Bryce

Estimates / Budgets des dépenses

Chair / Président: Alvin Curling
Vice-Chair / Vice-Président: Joseph Cordiano
Toby Barrett, Gilles Bisson, Jim Brown,
Michael A. Brown, John C. Cleary, Tony Clement,
Joseph Cordiano, Alvin Curling, Morley Kells,
Tony Martin, E.J. Douglas Rollins, Lillian Ross,
Frank Sheehan, Wayne Wettlaufer
Clerk / Greffière: Tannis Manikel

Finance and economic affairs /

Finances et affaires économiques

Chair / Président: Ted Chudleigh
Vice-Chair / Vice-Président: Tim Hudak
Ted Arnott, Jim Brown, Annamarie Castrilli,
Ted Chudleigh, Douglas B. Ford, Tim Hudak,
Frances Lankin, Monte Kwinter, Gerry Martiniuk,
Gerry Phillips, Rob Sampson, Tony Silipo,
Joseph Spina, Wayne Wettlaufer
Clerk / Greffier: Franco Carrozza

General government / Affaires gouvernementales

Chair / Président: Jack Carroll
Vice-Chair / Vice-Président: Bart Maves
Jack Carroll, Harry Danford, Jim Flaherty,
Bernard Grandmaître, Ernie Hardeman, Morley Kells,
Rosario Marchese, Bart Maves, Sandra Pupatello,
Mario Sergio, R. Gary Stewart, Joseph N. Tascona,
Len Wood, Terence H. Young
Clerk / Greffière: Tonia Grannum

Government agencies / Organismes gouvernementaux

Chair / Président: Floyd Laughren
Vice-Chair / Vice-Président: Tony Martin
Rick Bartolucci, Bruce Crozier, Douglas B. Ford,
Gary Fox, Michael Gravelle, Bert Johnson, Peter Kormos,
Floyd Laughren, Gary L. Leadston, Tony Martin,
Dan Newman, Peter L. Preston, Lillian Ross, Bob Wood
Clerk / Greffière: Tannis Manikel

Legislative Assembly / Assemblée législative

Chair / Président: Ted Arnott
Vice-Chair / Vice-Président: John Hastings
Ted Arnott, Rick Bartolucci, Dave Boushy, David S. Cooke,
Carl DeFaria, Tom Froese, Bill Grimmett, John Hastings,
Ron Johnson, Frank Michash, Gilles E. Morin,
John R. O'Toole, Tony Silipo, R. Gary Stewart
Clerk / Greffière: Lisa Freedman

Ombudsman

Chair / Président: John L. Parker
Vice-Chair / Vice-Président: Tom Froese
Elinor Caplan, Carl DeFaria, Ed Doyle, Barbara Fisher,
Tom Froese, Doug Galt, Pat Hoy, Leo Jordan,
Jean-Marc Lalonde, Rosario Marchese, John L. Parker,
Chris Stockwell, Bill Vankoughnet, Len Wood
Clerk / Greffier: Todd Decker

Public accounts / Comptes publics

Chair / Président: Dalton McGuinty
Vice-Chair / Vice-Président: Mike Colle
Dominic Agostino, Marcel Beaubien, Dave Boushy,
Gary Carr, Mike Colle, Bruce Crozier, Gary Fox,
Steve Gilchrist, John Hastings, Shelley Martel,
Dalton McGuinty, Gilles Pouliot, Toni Skarica,
Bill Vankoughnet
Clerk / Greffier: Todd Decker

Regulations and private bills /

Règlements et projets de loi privés

Chair / Président: Toby Barrett
Vice-Chair / Vice-Président: Bruce Smith
Toby Barrett, Gilles Bisson, Dave Boushy, John Hastings,
John R. O'Toole, Trevor Pettit, Gilles Pouliot,
Sandra Pupatello, E.J. Douglas Rollins, Tony Ruprecht,
Mario Sergio, Derwyn Shea, Frank Sheehan, Bruce Smith
Clerk / Greffière: Lisa Freedman

Resources development /

Développement des ressources

Chair / Président: Steve Gilchrist
Vice-Chair / Vice-Présidente: Barbara Fisher
John R. Baird, Jack Carroll, David Christopherson,
Ted Chudleigh, Marilyn Churley, Dwight Duncan,
Barbara Fisher, Steve Gilchrist, Pat Hoy,
Jean-Marc Lalonde, Bart Maves, Bill Murdoch,
Jerry J. Ouellette, Joseph N. Tascona
Clerk / Greffier: Douglas Arnott

Social development / Affaires sociales

Chair / Président: Richard Patten
Vice-Chair / Vice-Président: John Gerretsen
Dominic Agostino, Janet Ecker, John Gerretsen,
Michael Gravelle, Helen Johns, Leo Jordan,
Floyd Laughren, Julia Munro, Dan Newman,
Richard Patten, Trevor Pettit, Peter L. Preston,
Bruce Smith, Bud Wildman
Clerk / Greffière: Lynn Mellor

CONTENTS

Wednesday 22 November 1995

MEMBERS' STATEMENTS

Vehicle safety	
Mr Colle	937
Artists' housing	
Mr Marchese	937
Tax reduction	
Mr Rollins	937
Everfresh Inc	
Mr Duncan	937
Timmins and District Hospital	
Mr Bisson	938
Betty Dee Black	
Mr Boushy	938
Layoffs	
Mr Bradley	938
Common Sense Revolution	
Mr Martin	938
Social assistance	
Mr Jordan	939

STATEMENTS BY THE MINISTRY AND RESPONSES

Proceeds of crime	
Mr Runciman	939
Mr Ramsay	939
Mr Bradley	940
Mrs Boyd	940

ORAL QUESTIONS

Occupational health and safety	
Mrs McLeod	941
Mrs Witmer	941
Junior kindergarten	
Mrs McLeod	942
Mr Snobelen	942
Transfer payments to municipalities	
Mr Rae	943
Mr Leach	943, 945
Mr Cordiano	945
Agricultural labour policy	
Mr Rae	943
Mrs Witmer	943
Satellite gaming	
Mr Crozier	944
Mr Sterling	944
TVOntario/Télévision francophone de l'Ontario	
Mr Rae	944
Mr Villeneuve	945
Correctional facility employees	
Mr Runciman	945
Mr Ramsay	945

Social assistance

Mr Wildman	946
Mr Snobelen	946

Rabies

Mr Danford	946
Mr Hodgson	946

Highway safety

Mr Miclash	947
Mr Runciman	947

Northern health services

Mr Wildman	947
Mr Wilson	947

Crop insurance

Mr Smith	948
Mr Villeneuve	948

Greater Toronto area

Mr Colle	948
Mr Leach	948, 949
Mr Stockwell	949

Agricultural funding

Mr Hampton	948
Mr Villeneuve	949

Public service employees

Mr Phillips	949
Mr Eves	950

PETITIONS

Hospital restructuring

Mr Kwinter	950
------------	-----

Minister's comments

Ms Churley	950
Ms Lankin	950

Ontario Housing Corp

Mr Miclash	950
------------	-----

Child care

Mrs Pupatello	951
---------------	-----

Privatization of correctional facilities

Mr Bisson	951, 952
-----------	----------

Vehicle safety

Mr Colle	951
----------	-----

Highway safety

Mr Ramsay	951
Mr Miclash	952

Amalgamation of hospitals

Mr Michael Brown	951
------------------	-----

Amalgamation of school boards

Mr Miclash	952
------------	-----

Huron Lodge

Mr Michael Brown	952
------------------	-----

SECOND READINGS

Advocacy, Consent and Substitute Decisions Statute Law Amendment Act, 1995, Bill 19,	
<i>Mr Harnick</i>	953, 957
Mr Bisson	956
Mr Tilson	956
Mrs Marland	957
Mrs Johns	957
Mrs Caplan	958
Debate adjourned	962

OTHER BUSINESS

Ministry of Environment and Energy	
Mr Bradley	941
Integrity Commissioner	
The Speaker	941
Correctional facility employees	
Mr Ramsay	950
Visitor	
The Speaker	950
Adjournment motion	
Mr Silipo	952
Negated	952
Ms Lankin	953
Negated	953
Order of business	
Mr Turnbull	953
Agreed to	953

TABLE DES MATIÈRES

Mercredi 22 novembre 1995

QUESTIONS ORALES

TVOntario/Télévision francophone de l'Ontario	
M. Rae	944

DEUXIÈME LECTURE

Loi de 1995 modifiant des lois en ce qui concerne l'intervention, le consentement et la prise de décisions au nom d'autrui, projet de loi 19, <i>M. Harnick</i>	
Débat ajourné	962

LA 200
X1
- D23



No. 29

N° 29

ISSN 1180-2987

Legislative Assembly of Ontario

First Session, 36th Parliament

Assemblée législative de l'Ontario

Première session, 36^e législature

Official Report of Debates (Hansard)

Journal des débats (Hansard)

Thursday 23 November 1995

Jeudi 23 novembre 1995



Speaker
Honourable Allan K. McLean

Président
L'honorable Allan K. McLean

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

Hansard on your computer

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. For a brochure describing the service, call 416-325-3942.

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-7411.

Subscriptions

Subscription information may be obtained from: Sessional Subscription Service, Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur votre ordinateur

Le Journal des débats et d'autres documents de l'Assemblée législative pourront paraître sur l'écran de votre ordinateur personnel en quelques heures seulement après la séance. Pour obtenir une brochure décrivant le service, téléphoner au 416-325-3942.

Renseignements sur l'Index

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-7411.

Abonnements

Pour les abonnements, veuillez prendre contact avec le Service d'abonnement parlementaire, Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311 ou, sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 23 November 1995

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 23 novembre 1995

The House met at 1002.

Prayers.

PRIVATE MEMBERS' PUBLIC BUSINESS FREEDOM OF INFORMATION

Mrs Munro moved private member's notice of motion number 4:

That, in the opinion of this House, the government of Ontario should amend the Freedom of Information and Protection of Privacy Act, 1987 and the Municipal Freedom of Information and Protection of Privacy Act, 1987 to prevent vexatious, frivolous, abusive, time-consuming or costly requests that are clearly of a repetitious, systematic or malicious nature, without denying or restricting access if there is a legitimate reason for the request.

The Deputy Speaker (Mr Bert Johnson): The honourable member has 10 minutes.

Mrs Julia Munro (Durham-York): It is a privilege and an honour today to rise to comment briefly on what I consider to be one of the most basic rights of the people of Ontario: freedom of information.

Ontario's Freedom of Information and Protection of Privacy Act came into effect on January 1, 1988, and applies to all provincial ministries and most provincial agencies, boards and commissions, as well as community colleges and district health councils.

The Municipal Freedom of Information and Protection of Privacy Act came into effect on January 1, 1991, and applies to more than 2,200 local government organizations, including municipalities, school boards, public utilities, transit and police commissions, fire departments, conservation authorities, boards of health and other local boards.

Ontario's freedom of information and protection of privacy laws give an individual a right of access to most government-held information, including information about the individual. It is the responsibility of the Information and Privacy Commissioner to ensure an individual's right of access is protected.

While it is everyone's right to have access to information, I strongly believe that no individual or organization should be permitted to abuse our freedom of information laws.

At this point I want to stress that I recognize that most requests for information are legitimate and I do not want to deny or restrict access if there is a tenable reason for filing a request for information. However, we all know there are cases where an individual is obviously abusing Ontario's freedom of information laws and that ends up costing taxpayers.

Municipal and provincial government organizations, as well as individual members of the public, want to end the

costly abuse of Ontario's freedom of information laws when certain applications can be clearly identified as nuisance requests sought only to annoy and distract municipal and provincial officials from performing their tasks.

For example, a man who deluged police forces with more than 770 requests under Ontario's freedom of information laws in less than two years is a nuisance who sought only to annoy and distract officers from their duties, according to legal counsel for the police forces of London, Sarnia and Windsor, as well as the Ontario Association of Chiefs of Police.

Some of the requests included the number of wash-room facilities available for male and female police officers and cleaning schedules in police departments. Requests were made for information on alleged UFO sightings and a list of how much police officers eat and drink while on duty. Requests were made for detailed listings of all arrests made or charges laid by Metro Toronto police over a five-year period as well as a detailed listing of all arrests made over a 10-year period by London police.

Legal counsel for police told an information and privacy commission inquiry three months ago that the individual's requests were an endless harassment, a burden, and detracted the institutions from the very purpose they were mandated to do. He said the requests were an outrageous waste of taxpayers' money, a complete abuse of the process and an interference to legitimate requests.

A second example of an apparent abuse of our freedom of information laws involves a long-term patient at a maximum security mental health centre who inundated a municipality with more than 100 requests, including a demand for all of the township council's minutes dating back to the 1940s.

About five years ago this patient managed to get architectural blueprints for this maximum security hospital, which houses more than 100 schizophrenics, multiple murderers, rapists, paedophiles, arsonists and others. What does this patient do with all the information he collects? He shares it with private practice lawyers, other patients, the union representing hospital staff or the local media.

1010

More than 15 regional municipalities endorsed a resolution calling for the province to clamp down on the patient's use of freedom of information laws. These municipalities believe the act was being used for something it wasn't intended for and it had the potential to seriously overburden small municipalities with limited staff.

Support for amending the freedom of information laws has also been expressed by municipalities in my own riding of Durham-York. At its meeting of November 14, 1995, the town of Whitchurch-Stouffville passed the following resolution:

"That the town of Whitchurch-Stouffville expresses its support for the position proposed by Julia Munro, MPP, in her private member's resolution to be debated in the Legislative Assembly on November 23 requesting amendments to the Municipal Freedom of Information and Protection of Privacy Act to prevent vexatious, frivolous, abusive, costly requests."

At its meeting on November 13, the Whitchurch-Stouffville public library board moved its support for this amendment as well. The library board went on to indicate it questioned the mechanism that will be used to judge or determine what is considered to be vexatious, frivolous or abusive, and would like some clarification on who would be responsible for evaluating the requests. I intend to address these concerns later in my remarks.

The regional council of York also endorsed this resolution at its meeting on November 9:

"Whereas the Municipal Freedom of Information and Protection of Privacy Act provides for the right of access by the public to certain information held by municipal institutions; and

"Whereas there have been occasional abuses of the legislation made by individuals through the use of frivolous and vexatious requests of a repetitive and systematic nature that interfere with the normal operations of the institution; and

"Whereas it would be advantageous for the act to be amended to address and prevent vexatious and nuisance requests as a means to curtail wasteful demands on the staff of municipal institutions and ultimately the taxpayer;

"Therefore, be it resolved that the regional municipality of York express its support for the position proposed by the member."

Also, the Georgina town council passed a similar resolution at its most recent meeting.

The town of Georgina also recognizes that the intent of the freedom of information laws is to ensure that all and every request by an individual for information is acted upon expeditiously, impartially and with the full cooperation of the municipal staff to assist the requester to find and retrieve the information requested. However, the legislation has been enacted with an extremely broad application, with no opportunity for the municipality to screen out vexatious and frivolous requests.

With respect to the Whitchurch-Stouffville public library board's concern about determining what requests should be considered, I believe Ontario's Information and Privacy Commissioner already has the authority and resources to make that determination. In fact the commissioner used that authority when he released an order on the issue of frivolous or vexatious requests on October 18, 1995, with respect to the individual I mentioned earlier.

The commissioner declared the individual in question to be engaged in a course of conduct which constitutes an

abuse of the processes of government institutions and the commissioner's office. The commissioner invoked his authority under subsection 43(3) of the act to impose conditions on processing any of this individual's requests and appeals, now and for a specified time into the future.

The commissioner indicated he expected this would assist the individual in exercising self-discipline in prioritizing his concerns. It is my hope that the government will strengthen the commissioner's authority in this area and consider extending this same authority to municipal governments that currently do not have the power to screen out vexatious and frivolous requests.

In conclusion, I want to emphasize that I recognize that most requests for information are legitimate and I do not want to deny or restrict access if there is a tenable reason for filing a request for information. However, there are cases where an individual is obviously abusing Ontario's freedom of information laws.

I look forward to receiving your support of my private member's resolution to end the costly abuse of Ontario's freedom of information laws when certain applications can be clearly identified as nuisance requests sought only to annoy and distract municipal and provincial officials from performing their duties.

Mr Alvin Curling (Scarborough North): I appreciate the opportunity to speak on this private member's bill. It is quite interesting that it was presented by a member of the Tory government side.

In 1985, I got elected to this Parliament, and as far as I was concerned, this wonderful, august building, this powerful force here, was seen to be almost locked away from the public. I felt rather intimidated when I arrived here, and so did the Premier of the day, David Peterson, who got the feeling that the people felt this place was not for them and that the doors should be opened.

One experience I have had that will stay with me forever is the swearing-in ceremony outside on that lawn, where thousands and thousands of people saw cabinet ministers and individuals being sworn in, their people whom they had elected being reachable by the people. He opened the doors of this place and said we all should walk in:

"This place is your place. It's free; it's yours. It's yours to use, it's yours to ask. These individuals are people who have been elected and are accountable to you. Take away the mystery, the kind of myth that surrounds this place here, that they are untouchable, because these are the people who make the laws, the legislation and then enforce it upon you, who encroach upon your life, who take your money through taxation and spend it in a way that they say is good for you."

Then you ask whether it is right to ask the question: "How do you spend the money? What did you do with it? How many lunches did the cabinet ministers have and spend the taxpayers' money on?" They say, "Oh, that's rather frivolous." It was not frivolous to collect all those funds in taxes and then expend them, and then someone on the other side will judge if these are vexatious and frivolous.

I personally don't think it's frivolous at all. Once you take my money and say you're going to spend it and say you're going to be accountable and say you're going to make laws that are good for me, I have a right to ask those questions. Once I give you the responsibility, have elected you to protect the vulnerable in our society, I have to ask you, "How well are you doing that and why are you doing it and how much are you spending on that?"

You will feel that we could be busy doing other things, could be getting on with the job instead of finding out how many doughnuts the police officers have used. You would say that's rather frivolous. But we must take away that confusion, that mystery behind the ebb and flow of government information. There should not be any mystery at all.

If, of course, there are individuals in our society who feel that, "Yes, I'll do it just for my kicks," and it's costing the government and they are asking you to Xerox so many thousands of copies and what have you, charge these individuals. It's easy: Put a fee on it and say, "If you need that information, there should be a fee, because it takes time." But the information must be there.

This privacy we have, this secretiveness about information, should not be there, because the government must be accountable. Every one of us who comes here has the opportunity to ask the minister details about certain things he or she is responsible for; we can come and ask those questions. How does the individual in our society go about getting that information? It's through this kind of information process we have.

It's tedious, it's long and sometimes you will feel it's vexatious, but who judges that it's vexatious? It is the individuals who want the information who will judge whether or not it is vexatious. They said: "No, it's not vexatious. I need that information."

1020

When I started to speak, I said it was interesting that the Conservative government now talks about how we should protect information and not be so open with it, because this is what I'm hearing: "Let us not be so open. It's so vexatious, it's so frivolous." But who set you up as judge to say these are vexatious and frivolous? Information that you may see as trivial may be very important to that individual who needs it, maybe a satisfaction to feel he's in a democratic society. Many times we feel we are in this democratic society but somehow we are so far from getting the truth or getting the real answers.

We must protect our democracy through that process, where I can take the phone up or I can request something through a form, a process. You know that process to request information is so tedious, takes so long—and that's okay. Maybe it's necessary to protect some of the privacy of individuals. And it's important what we do with that information. There is a balance to it, of course, what we do with that information when we get it.

Therefore, we must make some sort of responsible judgement of how we dispense it and to whom we dispense that information. There are individuals in our society, I would say, who maybe are mentally imbalanced in a way and use that information for devious reasons.

But as I say, it's the government which collects all this information, and many times the government itself does not use it in a very responsible way. How do we know that? We know that through the requests of individuals who want that information to keep this government accountable. "Government" means not the government of the day, or in power, or Conservative, but all legislators who are elected.

It is very important as we look at this legislation, this private member's bill, to ask ourselves, how far do we go? While this government intrudes upon people's privacy in many, many ways—like the poor today; it's open season on the poor and the interest groups—they want it to be closed for the big corporations. Let us have a balance in that. I will leave some time for my colleague who will speak on this. She has some rather great insights on this matter.

Mr Tony Silipo (Dovercourt): I've listened with great interest to the presentation by the member for Durham-York, Ms Munro, in presenting her resolution, and to the last speaker, the member for Scarborough North. It's noteworthy that in those two presentations we heard a good summary of the arguments that can be made on this issue.

The member for Durham-York very well demonstrated and explained some of the misuses of this legislation, and I think it's appropriate for all of us, partisanship aside, to acknowledge that there have been instances where the freedom of information and protection legislation has, to the average person, on that test, been misused, been used for reasons other than what was intended. It makes sense for us to have an open mind to that reality and therefore a willingness to do something about it.

I want to take that as being what is driving this resolution and what has guided the member for Durham-York to present this resolution, because in listening to the member for Scarborough North we also heard that importance of the legislation is that it gives access to citizens of this province to government information at all levels through both pieces of legislation, the provincial legislation and the municipal legislation.

In whatever we do, or indeed in whatever the government does—because this is something that, at the end of the day, can really only be dealt with properly through government legislation—the basic issues and the basic points of continuing to provide fairly open access to people in the province, to the citizens of this province, need to continue to be there while obviously providing the necessary protections for governments at all levels to be able to continue to do their work properly.

I wish the wording in this resolution was a little different in terms of not including, for example, such things as "time-consuming or costly" as being legitimate reasons why requests should be denied, because I don't think that the fact that something takes a long time or that it may cost some money is necessarily a good enough reason why a citizen should not be able to ask for certain information. But I do think that where the requests are vexatious, frivolous, abusive, and particularly where they are malicious in nature—and of course these are all subjective terms; we know that. These are all

things about which we may not agree on whether they fit the definition. Indeed, I suppose someone would and will have to determine whether something is malicious. I wish the wording did not include such things as "time-consuming or costly requests."

Speaking personally—and that's a point I want to underline, because this is private members' hour—I will support this resolution because the bottom line, as I read it and as I've heard the member presenting the resolution, is to call upon the government to amend the legislation to take a look at those issues.

Should this resolution pass and should the government decide to act on it, it seems to me that we would be very wary on this side about the changes that would be made, and we would want to make sure that they not become restrictive of the right of the average citizen in the province to continue to have access to government information.

I'm sure the member for Durham-York and other members of this Legislature are aware of the review of the legislation done during the last Parliament. I was Chair of Management Board at the time the review was undertaken and therefore responsible for the provincial legislation, and I recall—I may not be entirely correct, because I haven't had a chance to go back and look at the record—that the committee came to agreement, with the three parties agreeing on a number of changes that could be made, some of which addressed this particular issue. I hope the government would take a good look at that report if it is going to act on this resolution, assuming that the resolution is adopted this morning.

I just want to say again that, to me, this is worthwhile supporting, because it brings to our attention something that I think is a problem. But I would also have to say that I'm supporting it because this is private members' business. I have said in this House before how important I feel it is that we come into this particular part of the proceedings trying as hard as we can, because I know it is difficult, to set aside partisanship. I have to believe that what has led the member for Durham-York to bring this resolution is not the fact that she's a member of a party that is now the government, but that indeed she believes strongly that there are problems with this piece of legislation that need to be addressed but that the basis of the legislation is sound and needs to continue to be there.

1030

I would hope that in any efforts to change this legislation we would keep that very much in mind, which is also why I wanted to have my comments on the record, so that if I need to I can come back to them at some point and be very clear that I am supporting this resolution, with a little bit of apprehension, but with an understanding that some of the changes that I think this resolution calls for would be appropriate. Any of us who have been in government know some of the examples that the member for Durham-York has pointed out this morning in her presentation.

I think the bottom line has to be that the legislation, in the spirit that it has now, needs to continue to exist, because at the core of it is giving the citizens of this province access to government information, and that's a

very legitimate role; that's a very legitimate purpose; that is one that needs to continue to be there. So it's in that spirit that, as I say, speaking personally—and I don't know what other members of my caucus will do; it is up to them to make that decision—I will support this resolution.

Mr David Tilson (Dufferin-Peel): I rise in support of the resolution raised by the member for Durham-York. This is a topic that has been before this House several times, certainly during the New Democratic regime. There were reports done by committees on the provincial bill, the Freedom of Information and Protection of Privacy Act, 1987, and that was presented to the House in 1991; then of course there was the report on the Municipal Freedom of Information and Protection of Privacy Act, 1989, and that was introduced last year about this time.

I had the privilege of sitting on a committee that actually reviewed this topic with respect to the municipal freedom of information legislation, and the legislation required that it be reviewed in five years. When it was passed in 1989, this committee was following its responsibility and so had an opportunity to hear from schools and police officials and other institutions around this province expressing their concerns with respect to the legislation.

These reports, I suspect, are sitting, one in the office of the Minister of Municipal Affairs and the other in the office of the Chair of Management Board. I guess I'm looking at all governments. To me, that's one way in which this House could be improved. Hours and hours of time were spent by individuals making presentations, and I believe that these are the types of reports that should be debated in the House. Of course, the rules preclude reports being debated in the House, and so it's only those people on the committee who really had an opportunity of reviewing these issues.

I think the purpose of the resolution, as I see it, is to show that the scales have gone too far. Some of the previous speakers have said, "You know, you have the right of access to information in a democracy," and certainly we should have that access. On the other hand, because of the myriad of applications that have been presented, frivolous applications in particular in some cases have almost approached anarchy as far as the operation of some institutions.

In fact, we had one individual who came to committee and said there's an individual going around the province of Ontario who just wants to do that; he openly does that. He makes these applications for the purpose of bogging down the system.

So the issue of frivolous applications, and there were a number of them—we heard in presentations that these proceedings took place in October 1991 on the provincial legislation and it was revealed to us by the Regional Municipality of Peel Police Services Board that, "We have had actually one request recently by a convicted murderer for information that could only be pertinent to this person, and we find, unavoidably, that the cost of servicing this request had been borne by all the taxpayers in the region."

That's madness. There was another incident where someone revealed that someone in jail wanted to know the plans of the jail that he was in. There was another story where someone wanted to know the type of toilet paper that was used by the chief of police. All of these applications are a pure example of frivolousness, in my opinion and in the opinion of the committee.

There were some other examples which were given, and I'll repeat this one as well. This was given by the Metro police force. They said: "Having listened to the first deputation from the regional municipality of Ottawa-Carleton, I concur with what they said. That's one of the tactics, to break the big request down into the smaller requests.

"But we get requests that I can only categorize as being right off the wall. There are requesters who ask for the number of toiletry articles in the chief's washroom, who has access to the chief's washroom, this sort of thing. They come in and we're forced to deal with them."

There was another, for example, which came from the Ontario Public School Boards' Association, which made a comment—and delegation after delegation described these abuses. There was one where it said: "As an example, let me just give you two or three. Most recently, just last week as a matter of fact, and I think it's kind of apropos, we had 205 requests from one individual in one day. We're having to deal with that at the moment. Previously, we had 68 requests from one individual in one day, and we had a total of 137 during a three-week period."

So obviously there is a need for access to information, but it's being abused. The committee that I was on, the committee dealing with municipal freedom of information—I'd recommend that members get copies of these and read them. They're in the library. These are the library copies that I have. I'd recommend that these reports be read. Of course, hopefully the two ministers will read them as well, because the committee is quite clear on recommendations.

One of the issues, in the short time I have left, is an issue that has bothered me for a certain period of time, and that is the salaries of senior officials in any level of government, whether it be school board, municipal, civil servants at this place, people who have a tremendous amount of power, and yet the taxpayer does not know what they're making; what they do know is the range. I don't think it's necessary to know the salaries of all municipal or education officials or all people who work for the civil service, but I do think it's important that we know what the people are making in our government today. We don't know that information.

I'm just going to read you a part of that in the time that I have. The committee recommended that the Municipal Freedom of Information and Protection of Privacy Act "be amended to require institutions to routinely publish at least annually the annual compensation paid to elected officials and the actual compensation paid to public service employees earning in excess of \$50,000 per annum in salary benefits, and that institutions also be required to routinely publish the financial details of personal service contracts and that further consideration

be given as to how often and in what format the routine publication should be made."

I think that's a reasonable request to be made. I'm just going to read you portions from this report, which is 34 and 35, which I think explains the concern. These people are assisting our elected officials to make decisions. The taxpayer is paying their salaries, and yet we haven't a clue as to what they're making. Not only that, if you find out and tell, you're going to get fined. That didn't use to be the case until my Liberal friend stood up and talked about the changing of the law, and he did change the law.

I remember sitting on municipal council, and it used to be very useful to me, sitting on municipal council, to know what salaries were being paid to senior municipal officials around the province. Municipal officials can't do that any more. Why? Because the act was passed that precludes that.

1040

I'm reading from the report: "The disclosure of an individual's actual income is presumed to be an unjustified invasion of personal privacy under section 14(3)(f). However, the disclosure of an individual's salary range does not constitute an unjustified invasion of personal privacy and is permissible under the act. Many witnesses criticize the act because it protects from disclosure the actual salaries and benefits that are paid out of the public purse to public officials and employees. These criticisms raise important issues about public accountability."

That's the key: the issue of accountability. I believe, when decisions such as this are to be made, these people must be held accountable, and they're not.

I'm going to close, but I do urge members of the House to support the resolution, and hopefully the two ministers will read these reports and consider making amendments to both pieces of legislation.

Mrs Sandra Pupatello (Windsor-Sandwich): I'm happy to speak today for just a few moments on the introduction of this, the resolution that deals with freedom of information.

When the Liberals formed the government not that long ago, one of the first actions was the introduction of the Freedom of Information and Protection of Privacy Act. It was very significant when that happened, because it literally opened the doors of Queen's Park to the public. It made government transparent. It allowed people access to know what they wanted to know about government, about their government officials, about the order of the day, about the business of the provincial government.

At that time, it was very remarkable that a government would have the wherewithal to do so, because they knew that they'd be opening themselves up to speculation by the public. Today, the Liberals feel that this is an integral part of government, and that is that the general public should always have access to what it is we're doing and that we wouldn't have any opportunity to hide.

What I find particularly fascinating in discussing this today is how it fits with the overall process and direction that this government seems to be going in. Given that it's my first term here at Queen's Park, I guess I notice everything for the first time, but all of the actions that

have happened so far smack of secrecy here, smack of a government that wants to hide and that wants to do things where the public will have no knowledge.

We see lots of examples of that going on here in the House, where very effective opposition members find things and bring them to the attention of government and say, "Now, why is it that we're not hearing about a voucher system for child care and we have to find a report?" The reporter from the *Toronto Star* certainly did a job of finding exactly what was going to happen with the voucher system in child care. When the minister was presented with it in the House, he denied any knowledge of it. While he was denying it, we were simply reading what his bureaucrats had already prepared some time ago. That's only one example of the kind of secrecy and the kind of information that we should have, not just access to the information, but be a part of the process of consultation.

We know how upset all of the labour in Ontario has been without having access to public consultation in the introduction of Bill 7. But more interesting or fascinating is the way our timing was in the introduction of that bill; that we should choose the time when the whole nation was worried about a referendum happening in Quebec; and that in that same week we would shove through Bill 7, all in a manner to try to stay under the guise of wanting to rush through quickly and keep promises, but instead marketing and strategically placing that when no one was watching.

I drove back to Queen's Park after this weekend and I parked the car outside the Legislative Building, and as I was walking down the sidewalk, I looked up and saw there was a camera on me. I don't know if the members opposite know that they've now installed cameras in the trees outside of Queen's Park. I want you to have a look, because you should all know that you're watching us; that this government is implementing these things. I didn't get a notice that there were cameras being hung from the trees. I find that fascinating. Why would people want to watch the things that are going on outside? The general public would be strolling through the lawn of Queen's Park, and now we have cameras hanging there.

Mr Michael A. Brown (Algoma-Manitoulin): Police the squirrels.

Mrs Pupatello: Exactly. For the squirrels. But all of this just tends to go in one direction, and that is one of secrecy, and then that is one of again closing the doors. We've said often that after June 8, the doors of Queen's Park closed—closed to public consultation—and this is just more of the same.

There are things in place now when requests are made for information. There are estimates that would be offered when it seems like an extreme request. Estimates are given back to individuals and it's said, "Here's what you would pay if you request this information," and many requests are not followed through because it is too expensive. Now, if the estimate of the cost of the research is not in fact cost-recoverable, then perhaps it should be and the government and the researchers ought to be paid for these kinds of requests.

There are checks and balances in place now. No one can be against something that would be "vexatious, frivolous, abusive, time-consuming or costly requests that are clearly of a repetitious, systematic or malicious nature," but my fear is that someone makes the judgement call on what those things are, that if this government's idea of balance is the introduction of Bill 7, if this government's idea of fairness or compassion or a hand up means eliminating child care for single moms who are trying to work and get off the system, then this same group is the group that's going to make the determination of what frivolous is.

Perhaps we shouldn't have access to the letter sent out by the corrections minister that tells his employees they're not allowed to contact their MPP's office. Maybe we shouldn't find out that Mr Watt was rehired by the Premier's office. This has nothing to do with Mr Watt, quite frankly. This has to do with a Premier's office that didn't want to take responsibility, didn't want to be found out. But we did find out, and I think there's nothing wrong with it. We should know, and people who are bringing in this kind of—if you're doing it, then you ought to be proud of what you're doing and don't try to hide it.

So more about the content, no one wants to be frivolous; no one wants to expend money needlessly. But more fascinating about this is the timing of it, is the idea that is more of the secrecy, more of the doors closed, and I guess I should end by simply saying, "Watch, because the cameras are on you."

M. Gilles Bisson (Cochrane Sud): J'aimerais prendre la chance pendant un couple de minutes pour discuter un peu de la motion numéro 4 qui est amenée ici devant nous aujourd'hui, venant de la députée de l'autre bord.

I wouldn't mind actually doing this particular debate in French. Unfortunately, the resolution was not provided in French. It might be with the table officer if I would have got it, but we'll do it in English none the less.

I just want to make two points on this: First of all, I think the member is aware that there were a number of members in the past Legislature and the past Parliament who spent an extreme amount of time dealing with this whole issue and taking a look at it.

I guess in the spirit of this being a private member's motion—and I would hope this is not a government motion but indeed a private member's motion—and that what the member is asking to do is that we go back and take a look at the whole question of the Freedom of Information and Protection of Privacy Act in order to be able to deal with some of the problems within that act, I think all of us within this Legislature probably would agree to an extent that there are problems with that particular act.

But I'm a little bit troubled by some of the comments that are made in this motion and I just would like to speak to that, because if the government does decide as a result of this motion passing to go ahead and to do an actual revamp of the act, there's a couple of things in here that bother me a little bit.

I'm just going to read here, "to prevent vexatious, frivolous" and "abusive" access or utilization of the present acts. I would agree with that. I don't think, quite frankly, that that act was ever set up as the mechanism and means for people to try to get back at somebody, and if that's the intent of that, I understand that and I think that's a hard thing to deal with in legislation. I think it's a hard thing to word.

How do you really define who is vexatious and who is trying to do this frivolously and who has a legitimate concern? Because the one thing I've learned over the years in this business, and also in private life, is that sometimes what appears to us as the person being attacked through a process as vexatious sometimes is not at all vexatious but, quite frankly, a legitimate concern of the other party about how government or how a person individually has dealt with them and taken away their rights or done something that is wrong.

1050

It is always hard to admit when one is wrong. It is the same for governments. It is hard for governments to admit that they're wrong. To say that we want to prevent people from frivolously using the act I would support, but I would want to try to figure out how we balance that, because quite frankly I wouldn't want to be in the business of being in this Legislature and standing in support of this if at the end of the result it means to say that people with legitimate concerns and people with actual grievances wouldn't have the opportunity to go forward and to request information under this act.

The other thing that troubles me—and I probably wouldn't have gotten up and spoken if this had not been in it—is the words "time-consuming or costly requests." I may get the dander of some of my friends on the other side up, but I have a problem, because, you know, democracy does have a price. It is always cheaper to run a dictatorship. You don't have any kind of appeal tribunals in a dictatorship. The buck stops with the person at the end of the hall, who has the most guns. It's fairly cheap to do it that way because you don't have to spend a whole bunch of money with having a bunch of tribunals or putting in place laws in order to make sure that people's rights are guaranteed.

If we're saying in this House that we're worried about the cost of democracy and the cost of providing tribunals to the people of Ontario—I'm sure that's not what the member meant in her motion, and I'm going to support her motion because I have to believe that what she's not saying, she is not saying that we should watch how much money it costs us to have a tribunal in place or an act such as this in place in order to guarantee somebody's rights, because I believe strongly, as do all members of this assembly—Conservatives, I'm sure, ourselves and the Liberals—that people have a right to request information if they feel that is in the best interests of a given situation and that people have a right to be able to question what it is that their government is doing or not doing.

In order to be able to go through that process and in order to challenge a decision of a government or a decision of a particular branch of government, people need to have the tools to be able to initiate that. Certainly

there is a cost associated with that, and I would say that I would not want to be in a position where we start looking at the amount of dollars it costs to administer an act like this as a reason to take away somebody's rights. I'm sure that's not what the member meant, and I don't mean to be combative.

The other thing in here was the word "repetitious." I'm not quite sure, and I would like her maybe to speak on this just a couple of seconds, on the word "repetitious." If you're saying repetitious in the sense of the same person trying to go back over and over and over again to get the same information, I raise the same concern. Sometimes people get quite caught up in a particular situation.

For example, I was involved for many years in my community with a group of people who were widows and were survivors of men who died in the gold mines from exposure to silica dust and to carcinogens in the underground. It took 50 years of work on the part of those people, over two generations, to be able to raise over and over and over again the same issues, to request the same information time and time again, to ask for it to be studied time and time again, over and over, until finally the IDSP, the Industrial Disease Standards Panel, recognized that indeed people were contracting cancer from their exposure working underground.

If what we're saying is that we want to prevent people from going back again a second time to be able to try to get information to advance a particular issue, again I would say I can't support that, because I have the personal experience of knowing that in the end, with the change of government from the Conservatives to the Liberals—and I would give some credit to the Liberal government of 1985-87—through the IDSP and through the work of the Minister of Labour at the time, Mr Sorbara, the United Steelworkers, myself, the Victims of Mining Environment and many, many people in the communities of Timmins, Kirkland Lake and Sudbury who lobbied at great extent, requested all kinds of information, we finally changed the policies of the WCB to recognize that industrial diseases can be contracted from mining.

If we were to adopt the idea that you're not able to come forward again after you've lost your fight to once again try, I think quite frankly that would have said: "Hey, too bad. You lost the first time, it's strike three, you're gone and you'll never play again." Even in baseball, after you've struck out, you have an opportunity to come back to the plate, and I wouldn't want that to happen.

In the spirit of cooperation and the spirit of trying to do business in this House that is the best for the people of Ontario, I'm prepared to look at this act, to support this motion, but I would ask that those two particular points that I've had an opportunity to speak on be respected.

Mr Tom Froese (St Catharines-Brock): As a government, we campaigned on the promise that, once elected, we would reduce red tape, bureaucracy and the cost of government.

When we examine the member for Durham-York's resolution, we see that the underlying problems with the

Freedom of Information and Protection of Privacy Act, 1987 and the Municipal Freedom of Information and Protection of Privacy Act, 1987 are not access to genuine-need information but loopholes that allow people to abuse the intention of the law.

This is not a new problem. As early as 1991, the member for Simcoe East made an attempt to introduce a private member's bill to stem abuse of these acts. Now it seems we are faced with an epidemic of abuse: abuse that only adds to red tape, the bureaucracy needed and further financial burden to the Ontario taxpayer.

I can certainly agree with the act in principle. Too often in the past people have been denied access to information on themselves, and the media was denied access to important information that we all needed to know. In effect, the law makes sure all government officials and workers are accountable to the people they serve. We have to keep these principles intact.

However, we need balance. We need to protect the rights of our province's citizens to gain access to information that they need that pertains to them personally. We need to protect those in our society who see their roles as the guardians of democracy and free speech.

But that being said, we need to protect the government, agencies and municipalities from those who seek information that does not relate to them personally but which is meant only to use up time and money on a slippery slope of inquiry and which could infringe on the privacy of others and, since there are tremendous costs involved, infringe on the rights of those who pay the bills, the Ontario taxpayer.

There are many examples of abuse of the governing procedures of these acts, but the two that have been discussed the most in the press are the individual who has harassed local municipal governments, hospitals and provincial government staffs and the individual who has harassed police forces across Ontario.

In the first instance, that person has made a minimum of 200 applications to his local municipality and has been turned down on each one of these cases, but because the appeal process is automatic, he is able to appeal each rejection. This individual has been able to get lists of municipal staff addresses and phone numbers, even unlisted phone numbers. Why do they need that kind of information, which could be used to harass people? It is clearly breaking privacy guidelines for people involved.

In the other case, the person has openly said he likes to embarrass the police and government officials. That individual has filed close to 772 requests and 272 appeals, asking for such things as have already been mentioned by the member for Durham-York, trivial information such as phone sex records and reported UFO sightings.

These searches are extremely expensive and should not be allowed to continue. It costs money to make phone calls, write reports, make photocopies, never mind the staff hours to do the searches.

In the last instance, the individual's access to information requests so far has cost the Ontario taxpayer a minimum of \$34,628. If we multiply that amount by the many people who are abusing this act, we are talking

about millions. This money could be spent, and should be spent, on reducing the deficit and the debt.

1100

There need to be amendments to the act that balance the right of the citizens to access information of a valid nature with those who abuse that right. I support the member for Durham-York in her resolution to amend the act to prevent frivolous and abusive applications. As we promised the citizens of this province, we need to reduce the cost of government and the red tape by providing a mechanism whereby all access to information requests can be examined for merit or for proper purpose before—

The Acting Speaker (Mr Gilles E. Morin): Thank you. Your time has expired. The member for Durham-York, you have two minutes to reply.

Mrs Munro: The first thing I would like to do is certainly congratulate those people who have spoken to this resolution this morning. I appreciate the support that this resolution has received from both sides of the House.

There are a couple of points that I think really need emphasis in clarifying the kinds of issues that have been raised by the discussion this morning. Very clearly, I made comment in my opening statement and in the conclusion to that statement that I do not want this to be perceived in any way as a method of hampering legitimate requests. I believe, as does everyone else in this House, that part of the strength of a democratic system is the opportunity for everyone within our community to have access to those kinds of pieces of information. So I would stress to you that the intent here is the question of amending on the issue of abuse.

I think quite clearly the question of concern over the way in which that abuse might be interpreted is a legitimate one. So I think it's important to look at the way in which it's worded. A couple of the speakers made reference to the concern of "time-consuming" or "costly" as issues that would be contrary to the spirit of a democratic process. I couldn't agree more. I think, though, that what the rest of the sentence says reflects the concern, and that is when these requests are clearly repetitious, systematic or of a malicious nature. So I think it's important to look at the kind of information that we have from the commissioner which supports this kind of concern.

In closing, I appreciate the support that has been shown and ask you to support my resolution.

The Acting Speaker: The time for the first ballot item has expired.

ELECTION AMENDMENT ACT, 1995

LOI DE 1995 MODIFIANT LA LOI ÉLECTORALE

Mr McGuinty moved second reading of Bill 2, An Act to amend the Election Act / Projet de loi 2, Loi modifiant la Loi électorale.

The Acting Speaker (Mr Gilles E. Morin): Pursuant to standing order 96(c)(i), you have 10 minutes for your presentation.

Mr Dalton McGuinty (Ottawa South): It's my pleasure to speak to a bill which I introduced at the first possible opportunity upon our return to Parliament here.

Let me first describe the problem which my bill attempts to address. It's very simple and I think we've all had some experience with this. It addresses the requirement that the returning officer post in each polling division a copy of the list of electors. This is a copy here. I think we've all seen these posted on telephone poles and lamp standards during the course of an election.

The problems that constituents have raised with me, and I'm sure these have been raised elsewhere, are that there are issues connected with privacy and safety, particularly raised by women, and even more so by senior women living alone.

What the list does, of course, is it describes who lives where, and if you happen to be living alone, at least if you're an older person who's living alone—there's no indication that there might be younger people there—there's an opportunity for others to look at the list and determine that you are in fact living alone.

I did a bit of research on this when I got back to the Legislature and determined that there's a fairly extensive history of this being raised by members in the Legislature or in committee.

The first thing I discovered was that after every election, our chief election officer prepares a report, and in the 1988 report and the 1991 report, the same comments essentially were made by the chief election officer. I just want to quote from the 1988 report, where he says on page 6, under the heading "Posting of List in Conspicuous Place," "Many complaints are received in every election about the invasion of privacy involved in the posting of the list of electors in urban polling divisions." He then goes on to make a recommendation. He says: "Paragraph (a) of subsection 19(3), requiring posting of the list, should be repealed. Paragraph (b) should be amended to specify that one copy of the list must be posted in the returning office and that public access to and inspection of the list must be allowed." That is precisely what my bill does, nothing more and nothing less. That was 1988.

In 1989 the standing committee on the Legislative Assembly considered some submissions made by the chief election officer for the province, and they recommended to the Legislature that this very change be made. Nothing came of that. However, I do have a copy of the then House leader, Chris Ward, the Liberal government House leader at the time, who indicated in a letter to the standing committee that he intended to introduce a bill to amend the Election Act, and it's my understanding that the change that would be incorporated in those amendments would include the one that I am proposing we adopt here today.

In 1991 again we had another report of the chief election officer making the same recommendation; that is, that the act be amended to remove the requirement that the list be posted in public places.

In 1993 I have a copy of a letter from the Information and Privacy Commissioner for Ontario, Mr Tom Wright, and the letter is directed to the chief election officer, Mr Warren Bailie. In that letter he simply points out that he's received complaints of people removing the list for business purposes, taking it down off the telephone pole.

There's one particular case he describes about a real estate agent removing it from the telephone pole within 30 seconds of its having been posted. He goes on to encourage Mr Bailie, the chief election officer, to pursue the amendments that he had made reference to in his earlier reports.

In 1994 the Information and Privacy Commissioner wrote to the then minister responsible for women's issues, Marion Boyd, and indicated that the president of the Ontario Advisory Council on Women's Issues had written to him concerning the privacy and safety issues for women associated with the public posting of voters' lists. He goes on to indicate as well that his office shares those concerns and agrees that the public posting of voters' lists has implications for both privacy and safety. That was 1993.

Then in 1994, the minister responsible for women's issues, Marion Boyd, writes back to Tom Wright, the Information and Privacy Commissioner, and indicates in essence that she shares the concern regarding posting of the voters' lists.

That's the history. So obviously it's a very simple matter. There's been some significant history for such a simple matter, and my bill has been supported. I have written to the Information and Privacy Commissioner and the chief election officer for the province. Both of those officials have indicated that they fully intend to support my bill, and do.

Obviously, on June 8 we had an election in this province. Once again, a number of further complaints were registered with the chief election officer's office.

The other thing that I notice myself is that I took this down off a telephone pole on June 30. So I think that raises another issue, and that is, nobody removes these darned things. They end up falling on to the ground. There's no legislative requirement that they be removed. They end up falling on the ground and become litter. I think the other thing to keep in mind is that there are certain costs associated with producing this thing and having it posted. Those are two other reasons—not as important, but the costs and the fact that nobody's required to take the darned things down are other reasons why we shouldn't be proceeding with the practice.

1110

I also found out, just in case anybody's interested, that this practice of posting these lists began in 1874 when our predecessors put in place An Act respecting Voters' Lists, and it required that lists be posted in a variety of different public places. The original purpose of course was to allow voters to make sure they were on the list and make sure the names were spelled correctly.

That is no longer necessary in my view because, first of all, everybody receives a notice of enumeration in the mail. Secondly, the chief election officer makes a practice of advertising the fact that there's a phone number available that you can call to make sure you're on the voters' list. Furthermore, this voters' list is found within the returning office, so if anybody was interested, they could always attend there and view it in order to make sure they were on the list.

I also want to note that the federal government adopted a similar amendment in 1982, an amendment which removed the requirement to post voters' lists in public places.

Finally, I'd like to note that I've received letters of support from women's groups and police, in particular from the London and Area Council of Women, who have written in support of my bill, and in fact have indicated that they're putting forward a resolution at the next provincial council to have the larger provincial council adopt a resolution in support of my bill.

I also have a copy of a letter from Brian Ford, the chief of police for the Ottawa Carleton Regional Police Service. I just want to quote from that. He says:

"I wholeheartedly support and endorse such a bill. I believe the posting of voters' lists in public places invades personal privacy. I also believe this is a security concern for police, both from the perspective of names being acquired and people being victimized, and also with respect to vandalism that is associated with the election lists so posted. In my view, it would make sense to have the voters' list posted in a place that is secure and under the watchful eye of someone, such as at a polling station." Of course, that is precisely what my bill does.

On that, I'll end my comments and ask that my colleagues give it every consideration, and I ask for their support.

Mr Gilles Bisson (Cochrane South): I'd like to raise a couple of points with regard to what is being proposed here, because it is somewhat problematic, especially in rural ridings and northern ridings. I know there are a number of members on the other side of the House, as on this side, who represent ridings that are quite large geographically, with the population spread out.

For example, in my riding, I have three major communities within the riding. There's the community of Timmins, where it would be easy for people to get to the returning office to find out if their name is on the list, depending on where they live within the city of Timmins, because Timmins is the largest municipality in Canada and the second-largest in North America in geographic area, but when it comes to population we're actually one of the smallest.

If you're living in places like Connaught or you're living out at Star Lake or you're living in Kamiskotia, the returning office is 45 minutes to an hour away. It is hard enough to get people to exercise their democratic franchise to vote without giving them other barriers to jump over to find out that their name is on the list come election day.

This last election and the election before—I remember especially the 1990 election—there were a number of people I ran across on election day who said to me, "Jeez, it was a good thing I happened to see that my name wasn't on the list, because I couldn't have voted for you," or against me, to be fair. Most of them voted for me, in fact about 60% of the people in my riding in the 1995 election, so I thank the people of Cochrane South.

The point I'm trying to make is that sometimes, especially if you live in smaller communities, the only way you're going to find out whether your name is on the list is by going to wherever the list is available, on whatever street corner or pole or area it might be, and looking to see if your name appears.

Most members would know this. The 1995 election—and I hate to say this, because I don't want to be confrontational and disrespectful to the returning officers—was the worst job I have seen in all the elections I've been involved in when it came to enumeration. It was God-awful. In my riding, scads of people had not been enumerated, I am told, especially in apartment buildings. Entire apartment buildings, for whatever reason, were left off the enumerator's list.

How we find that out—let's be candid—is that we have election teams and we do our telephone canvassing and we do our on-foot canvassing and we knock at the door and find out that people who want to vote for you aren't on the list, and that tells you you've got a problem. I was lucky. I had a large campaign, lots of people, lots of volunteers, and we were able to canvass every poll in my riding. Unfortunately—fortunately for me—the Conservative Party wasn't as well organized and the Liberals did not have full campaign teams.

I would imagine that part of their difficulty in the 1995 election is that a number of people, I'm sure, went to the polls to find that their name wasn't on the list but who may have wanted to support one of the three candidates. Given how poorly the last enumeration was done, if this had been a close election—which it wasn't; I won with 60%. But let's say it had been 40, 50, 100 or 200 votes; it could have made a difference in the result. In fairness, if the people of Cochrane South, for whatever reason, would want a member other than myself, we need to respect that in legislation and respect that through the election process.

My problem with this is that what we're talking about doing here is that the list be posted at the returning office and that people have to amble down to the returning office during business hours to see if their name is on the list. That's difficult enough, but that's not all.

Again I'll resort to my riding. A community in my riding, Black River-Matheson, is an amalgamation of a number of different townships that came together some years ago: Val Gagné, Matheson itself, Holtyre, Ramore, Burk and a number of others. These communities don't have a municipal town hall where you'd be able to get hold of the list. They don't have a library other than what's in Matheson. There are no municipal structures, no provincial structures, no federal structures in many of those communities, other than a volunteer fire hall that nobody has a key for except for the volunteers.

How, under this, would somebody in Burk or Ramore or Holtyre who wants to exercise their right to vote find out if their name is on the list? That's why the Election Act provides that the list be posted in a conspicuous area, so people are able to find out if they are. That's why I would have extreme difficulty supporting what is being proposed here unless I were to see some kind of mechanism to ensure that the people of communities like Nellie

Lake or Burk or Holtyre are able to find out if their name is on a list other than going to the returning office.

I'll tell you, if I live in Burk, to get over to the returning office in the city of Timmins is an hour and a half or two hours away, depending on road conditions. People are coming home from work, and they're exhausted by the time they get home. They've driven in all the way from Falconbridge or Pamour Mines or they might be working out at Abitibi. They drive all the way home and it's a real problem to go out again.

In fact, in those communities, people plan their shopping well in advance of actually having to go. It's not like me or my friends from Ottawa or Toronto who want to go shopping, get in their car or take a walk and go down to the corner store. In some of these communities, you don't even have a corner store. In Burk, if you want to buy a pitcher of milk you've got to drive to Kirkland Lake or to the truck stop or up to Matheson or Ramore, some 30 minutes away, almost an hour away in some cases. If it's hard enough to get a quart of milk, imagine what it would be like to check if your name is on the list.

I would have a problem supporting this. I was trying to think of a possible solution, but probably some kind of provision in the legislation that the posting has to be more than just in the returning office. It would have to be available in a number of other areas, which is okay, but then you get into the problem in many of our ridings where there is no municipal structure, no structures of any kind to post the list securely, no other physical locations you can put it. I'd have a difficulty with that.

1120

My honourable friend who's sponsoring this bill, you said you took down the list you showed us from the telephone pole on June 30. I want you to check the legislation and find out if that was legal, because my guess is that there's a law preventing people from taking those lists down. I'm sure you didn't share that list with a whole bunch of people. At the first opportunity, I'm sure you'll go back to your community and the Ottawa Citizen, as a matter of fact, will have a picture of you posting that list back up on the telephone pole to make sure you're in compliance with the law.

J'aimerais dire tout simplement aux membres qui ont mis en place cette loi, c'est comme j'ai dit, il y a beaucoup de situations à travers la province où les comtés qu'on représente sont très vastes en géographie mais très petits en population, et c'est très difficile pour eux, comme citoyens et citoyennes, d'être capables de s'assurer que leur nom est sur la liste d'énumération.

Demander, comme on le dit dans cette législation-là, que la personne aille au bureau pour voir si son nom est sur la liste, ça peut être très difficile parce qu'il y a beaucoup de places dans nos communautés où — par exemple chez nous, si je demeure à Holtyre, à Brooke ou à Ramore — pour aller au bureau pour vérifier si notre nom est sur la liste, ça prend une heure, une heure et demie d'embarquer dans notre camion ou notre auto et aller trouver ça. J'ai un problème à appuyer la législation sur cette base-là.

J'écouterai très patiemment et très attentivement — j'ai besoin de faire un téléphone — à la télévision pour m'assurer que le député nous explique directement ce qu'il arriverait aux listes pour ceux qui restent dans les municipalités où ils ne trouvent pas un bureau de vérificateur où on pourrait regarder la liste.

J'aimerais voir un système où tous les citoyens et les citoyennes très simplement peuvent, avec un accès très facile, être capables de voir si leur nom est sur la liste, pas simplement par téléphone. Je pense des fois que le monde est un peu épeuré de rentrer dans un bureau du gouvernement. Je sais que c'est une des affaires qu'on trouve lors des élections. On téléphone au monde pour faire du «canvassing» et on dit, «Avez-vous vérifié si votre nom est sur la liste?» puis ils disent : «Bein non, ça me tente pas. Je ne veux pas aller là. C'est trop loin.»

Il y a toutes sortes d'excuses des fois, et j'aimerais voir comment le député répondra à cette question-là pour être sûr qu'il y ait des assurances que si la personne veut vérifier si son nom est sur la liste, elle soit capable de faire ça de manière très facile, où la liste est assez proche d'où elle demeure et qu'elle n'a pas besoin d'embarquer dans l'auto et partir pour une heure et demie sur la route pour aller trouver la liste.

La dernière affaire que je vais dire est que je sais que le député a toujours des standards très élevés. Il a dit tout à l'heure qu'il a ôté la liste sur le poteau de téléphone. Je pense qu'il y a des lois qui disent qu'on n'a pas le droit de faire ça. Je vous demanderais qu'on prenne le marteau et qu'on prenne la liste et qu'on remette cette liste-là quand on aura fini, parce que je suis sûr que le député veut s'assurer qu'il respecte la loi. Avec ça, je cède la parole.

Mr David Tilson (Dufferin-Peel): I'd like to rise and make a few comments with respect to the bill that's been introduced by the member for Ottawa-South. This bill has been introduced at a very opportune time, particularly as we've just gone through a referendum in Quebec, a very close referendum, where very serious allegations have been made with respect to voting procedures: allegations that votes were counted improperly, allegations that perhaps one person voted more than once, the fact that something like 85,000, 86,000, 87,000 votes were spoiled and couldn't be used.

It's an opportune time for this to come forward. I intend to support the bill in principle. I've told the member privately that I don't think his bill goes far enough. I think the entire Election Act needs to be reviewed by the government and recommendations made on a whole slew of things. What happened in the province of Quebec could very easily happen in the province of Ontario.

The member for Cochrane South mentioned the whole problem of enumeration. He's not alone; I think all of us have had some complaints about the process of enumeration, of buildings being left out. More than once I had people approach me and say, "I have been here and I haven't been enumerated." The enumerator I think has to approach a residence three times, and the residents would deny that individuals have been there. I'm sure all members of the House have experienced that issue.

The issues of democracy, of the whole process of electioneering, are at stake, and I would hope that in due time the government would consider a complete review of the election bill.

The issue raised by the member for Ottawa South is another that needs to be dealt with, although I have a couple of reservations. If people who are voting phone the returning office to ask whether they're on the list, I don't know what that means in terms of the barrage of telephone calls that could be received. It may be a problem that could be solved, but I would be concerned if the returning officer says, "Because of this amendment we're going to have to increase our staff to deal with this amazing number of calls coming in to us."

I still intend to support the bill in principle, because hopefully that issue could be resolved at committee stage and we'd have an opportunity, with no time restraints, to debate that issue and other.

There's another issue, about which I spoke privately to the member, that hopefully this amendment won't preclude those running for office from having access to lists. Certainly it is a service to all individuals running for office that those lists be made available in their campaign offices, because people call them and ask whether they're on the list. Again, I'm sure it's not the intent of the member to exclude candidates from receiving the lists.

The main purpose of this bill—and I'm going to be summarizing some of what members have already said—is that of security. Of course, being a Conservative, there's concern with the issue of cost.

Mr John R. Baird (Nepean): Oh, the Liberals are concerned about cost half the time.

Mr Tilson: The member is talking over there. Perhaps the Liberals are concerned about cost as well, but we're really concerned about the issue of cost. I don't think there will be a significant cost saving with the implementation of this bill. The lists are put up and taken down by returning officers who must be hired anyway. What little saving there would be would come from the cost of producing fewer lists.

I suppose there's the issue of saving the time of the returning officers from running around urban centres—and I think this section only applies to urban areas—putting up these lists on posts. But it does send out an important message that we as legislators should consider, that we must identify and do away with unnecessary expenditures, however small or insignificant they may seem. I would support the bill on that issue.

But the real crux of the bill has to do with the issue of security and privacy. Individuals have expressed to me and I'm sure to individual members in this House and certainly to the office of the Chief Election Officer, Mr Bailie, concerns about security and privacy relating to the publication of electoral lists.

It's quite obviously possible for someone to identify from lists individuals who live on their own. You can see who's living at a particular house or apartment or residence and determine the sex of the individuals from the list. There are some strange people in our society that we worry about, and if you're living alone, if you're a single

woman, if you're a senior individual, there are the obvious concerns the member commented on in his introductory remarks. I imagine this information is rarely used dubiously, but in reality, a potential threat certainly exists if individuals choose to use this information in an unscrupulous manner.

1130

The member for Cochrane South raised the issue of lists out in the country. I represent a rural area and I can tell you that the people in my riding in Dufferin county don't have lists; it only applies to the urban areas. So the people in the country have been doing what you're recommending for years and they've got along just fine without those lists. What we're asking now is urban voters to do what rural voters in my riding have done for years and go to the returning officer and check out whether their name appears on the list.

In summary, I'm going to close by saying that individuals must show some personal responsibility. If you want to vote, it's very easy to pick up the telephone and call, as opposed to what we have been doing since the 1980s, as the member pointed out. I quite support him. It's time to change the law.

Mr Richard Patten (Ottawa Centre): I'm pleased to rise today to speak in support of my colleague the member for Ottawa South and his bill, An Act to amend the Election Act, Bill 2. I believe that this has a great deal of merit. A number of the points that I had intended to make have been made by the member for Dufferin-Peel as well and of course by the member introducing the bill from Ottawa South, but I would like to underline a couple of points that perhaps may add to the discussion.

I think it was important that the member for Dufferin-Peel pointed out that the use of these lists is really in the urban area. That's absolutely correct that in the rural areas these lists are not used, and that's important. It would be nice to think that we could go back to some simpler days where neighbours knew each other, that there was the high degree of accountability that indeed I feel we still have in some of the smaller communities, in some of the smaller towns in Ontario.

But in some of the urban areas where we have large apartment buildings, a lot of people, a lot of mobility, a lot of people moving in and out of the community, a lot of people travelling to downtown areas etc, places like my riding, I think some of those whimsical feelings of having to recapture that are gone to a degree. There are always efforts to try and recapture some of that in any neighbourhood, and certainly we do that in many areas, but security is a very important sense.

I was here in the House several weeks ago, and I'm sure many of you members will identify with this, when my family home was vandalized. I live in an urban riding. Many members I'm sure have experienced the feeling of being victimized, because that's what it is. When your house is invaded, you feel you are targeted, you feel that you've been victimized, let alone what you've lost in property.

That's not the most important thing. In fact, for me, my teenage daughter was particularly affected by this

invasion of privacy. With the number of break-ins in people's private homes and apartments these days, it's more and more of an occurrence and it becomes part of the records of the police files. To date, they have not found out who it was. My point is that all citizens should and must be protected in terms of the invasion of their personal privacy.

Now, this amendment to section 19 may seem like an administrative issue, but as the member has said, it's outdated, and it's outdated for social reasons as well. It's my opinion that this should have been deleted several years ago, and indeed the returning officers have recommended this change. Similar laws have been amended, by the way, in British Columbia, Nova Scotia, and as was pointed out, by our federal government as well.

I have received a number of complaints, and perhaps that isn't unusual—I'm sure following an election there are a number of complaints that people have—but particularly dealing with this particular issue. In fact, from my experience in three elections, each time this issue has been raised.

I asked my staff if they would help out and conduct a little mini-telephone survey in the Ottawa area on this particular issue this week. The men and the women who responded were overwhelmingly in favour of not posting election lists in public places. In particular, I have spoken to representatives from women's shelters and from transition homes, including Harmony House, whose existence is threatened by cutbacks to this particular point. They identify this as problematic, for obvious reasons, for women who are attempting to rebuild their lives and yet would like to vote and would like to be identified, but in fact it is a risk for them.

These are some of the more extreme examples perhaps, but I'd suggest that in this day and age there are ways in which we can do that. As the member for Cochrane South pointed out, there are ways. Each campaign office has volunteers who phone. People phone in and they want to know if they're on the list. In fact, there's a very simple way. There's an enumeration card that confirms whether someone is listed. Indeed, what most people do in the urban areas is phone the election office and ask, and they can do that. If they wanted to check, then of course they could visit the returning officer's office and find out for themselves.

We've talked about the lists. I know in my riding, sometimes the lists disappear. They're often in tatters. They're not protected from the weather. Sometimes you can't read them; you only have two pages left or a page is torn or indeed it's removed in totality. So it seems to me it's not even an efficient system any longer. Yet in the interests of urban areas, especially downtown areas in cities, the question of security and privacy looms more and more important.

I would wind up my remarks by saying to my colleague from Ottawa South that I support Bill 2 and would urge all members to consider this, remembering that this is a city or an urban issue, by and large. It respects the way in which life goes on. In smaller towns and in rural areas where people know each other more, the mobility is not as high as it is in highly densified communities, in

our cities. I believe it's a good bill. It's long overdue and I would add my name in support of Bill 2.

Mr Tony Silipo (Dovercourt): I too want to rise to express my support for this bill and hope, if the speakers so far are an indication, that it will meet with support in this Legislature this morning.

I think that the basic point behind it is certainly one we all should support, which is that in this day and age there are other considerations that I think have come into being around the posting of these electoral lists and that the basic point of posting the list, which is to get people to know if they have been properly enumerated or not, can much more easily be accomplished through other avenues.

If that's the case, then having these lists posted as they are now does, I think, raise some issues with respect to safety, as the member from Ottawa South has pointed out, particularly with respect to women and seniors who may be living alone. I think those are issues that are worthwhile and useful for us to remember and to remind ourselves of.

1140

I know that there are some concerns. I listened to my colleague the member for Cochrane South express some of his worries about a riding like his and some of the other more rural ridings, and I think it has been useful to hear the clarification from a number of members about the fact that the present legislation doesn't require the posting of these lists in the rural ridings. I think that even more so it's therefore appropriate for us to support this resolution and to do what we can to make our communities a little bit safer, at least with respect to this particular issue.

I think that when it comes to the Election Act there are a number of other areas that certainly I hope at some point in this Legislature we have an opportunity to get into, because I think that there are other issues that can be addressed, should be addressed, both, quite frankly, in the way in which the elections are run—I have been one, for example, who has believed for many years that it's appropriate, and now I think the technology makes it even easier for us to get to having a permanent voters' list, which obviously would need to continue to be updated. But I find the present process of people having to run around and do the enumeration, pretending that they're starting from nothing election after election, quite ludicrous, especially in this day and age.

I think that there are a number of improvements like that which can be made, but I appreciate that what the member for Ottawa South is wanting to do today is to address one specific problem, one particular issue, which I think makes it, hopefully in this particular case, easier for us to deal with this issue, adopt it, pass it on. I hope that the government then would see the wisdom of bringing this bill back for third reading, and if there's any need for it to go to committee, that this would also be facilitated and that it could be done, because it does raise, I think, some important issues.

We will have, I'm sure, during the course of this Parliament, the opportunity to deal with some other substantive issues around elections in this province. The

government did reiterate in the throne speech its wish to reduce the number of members in this Legislature. I think that certainly I for one will have some things to say around what other changes should be done in conjunction with that.

If they've chosen that course of action, I certainly will not be objecting to that as a course of action, but I think that it would be useful for us, for example, to take a look at whether we could not inject into the electoral system of this province some element of proportional representation and some perhaps hybrid of the system that we have now with that other system. But those are issues for another day. For today, I'm happy to stand in support of the bill from the member for Ottawa South.

Mr Derwyn Shea (High Park-Swansea): I reflect upon the comments made by my colleague the member for Cochrane South requesting more Progressive Conservative competition in the next election, and I'd certainly like to talk to him about that and help to accede to his request.

In terms of our colleague the member for Ottawa South, I am certain that I did not hear him say that he removed anything from a telephone pole contrary to the rules. I know he wouldn't do that. I know he didn't say that. But I do support any effort he makes to clean up the environment, and more than that, I particularly approve of the bill he brings forward today and will support it as well, although I confess it doesn't go as far as it should.

I grew up in the riding that I now have the honour to represent. I can recall, as a young lad running the streets, when there was an election called and the voters' list was placed on telephone poles, that we all eagerly took a look to see if our name was there. We looked with pride, and we looked with a sense of neighbourhood to see: Is everything on this list accurate? Is it indeed reflective of our community? Are there some errors and omissions?

On occasions when there were omissions, we would go to the household and point out to them the fact that there may be something missing. There was that sense of neighbourhood that we hear expressed even now in the rural areas that it continues, but it doesn't continue quite to the same extent in some of the urban areas. I'm delighted to say that probably my riding may be one of the urban exceptions. Certainly in the areas of Swansea and High Park there is still that sense of collegiality. But particularly as the high-density areas develop we lose some of that intimacy, and I regret that.

I can also recall that the first signs of this disintegration of neighbourhood began to occur when, as one member has rightly pointed out, you'd begin to find a page ripped off the lists, and then the entire lists were disappearing from the telephone poles, and then you began to discover they were being used in other ways, not least for direct sale and for direct door-to-door soliciting and so forth. That was the first sign that, in the urban areas at least, the lists were now being abused.

They had a reason. As one member has pointed out, back as far as 1874 they had a reason, they had a purpose. They were the only means of ensuring that you were in fact being recognized for your franchise. But that need has disappeared rapidly and has been overshadowed

in some ways by what has now become misuse of the lists and certainly some mischievous use of the lists in some particular quarters.

We all know, particularly those of us who represent the urban areas, that the difficulty we have is that these lists can often place people in a vulnerable position. We have heard today people suggest that single women, seniors living alone, women living alone are placed in particular vulnerable circumstances by having their names appearing on the list; and that is true. Even though we know in a more sophisticated sense that a person who may appear to be single on the list may in fact be living with someone in that apartment or in that dwelling who is not on the list for reasons that they're not qualified to vote, still it looks as though there is only one person in that dwelling and indeed it makes them vulnerable to all kinds of behaviour and attack, not least of which is that from direct sales and other forms of solicitation.

The vulnerability then is something that this bill attempts to address. It at least reduces that opportunity of allowing people the convenience of simply grabbing a list, taking a look at it and immediately going to that household and creating some problems for it. So I think we should support it in that regard.

But let's also be very clear that the bill, while it isn't harmful, doesn't go far enough. I would hope that during the tenure of this Parliament we will have a chance to improve on the entire sense of the bill. I think there's no question that we should have a permanent voters' list, a list that is combined by the federal, provincial and municipal governments and that can be kept up. There is no difficulty in doing that now, and it becomes very cost-effective.

In the last provincial election, we all saw just atrocious examples of very bad enumeration. In my own riding, I just had entire apartment buildings left off the voters' list, like there was a huge kind of vacant ground somewhere in High Park, which wasn't the case. We need to address that shortcoming, which is not dealt with here, and I hope that we use this simply as a launching pad to move on to the proper reformation of the entire Election Act with the permanent lists.

Let's also be very clear that there is still vulnerability in the system. Certainly for the more literate, instead of just taking the ease of accessibility of the lists on telephone poles, it's a matter of going to the local library and picking up a copy of Bowers or a copy of the city directory and very easily doing a walk-through to discover who is listed in many buildings and in many dwellings. But setting that aside, at least what we're doing is minimizing the impromptu use of the list for the direct mail solicitation, door-to-door and indeed perhaps even for criminal activities. In that sense, then, this is certainly a bill worthy of support.

I am pleased to lend my support to the bill. I hope it is a precursor of a much broader, sweeping reform to the entire Election Act.

1150

Ms Annamarie Castrilli (Downsview): I am delighted to rise today to support Bill 2, An Act to amend the Election Act, brought by my colleague the member for Ottawa South. Before I start, I also would like to echo

some of the words that have been said before, that there is critical need to amend the Election Act to bring it into the 20th century as we head into the 21st century. We are, however, dealing today with a very specific amendment, which I support.

I want to very succinctly go through some of the considerations which I have with respect to the bill. The purpose of the list was, as had been indicated before, to provide public access to ensure that the lists were correct, that they were full, that there were no egregious errors. Those lists, however, contain information with respect to names and addresses, the gender and the number of people in the household. While that information may have been protected within very small and comfortable communities, that isn't the society in which we live today, in the main, in Ontario.

The problems are the following: The first is privacy. That privacy is invaded by these lists, there is no question. That has been said before. In my own riding of Downsview in North York, which by the way has the greatest concentration of seniors in the GTA and a substantial number of women and single mothers, this issue becomes of paramount importance. The notion that their names and personal information about them might be posted in public places makes people very, very worried indeed. It makes officials very worried indeed.

The second problem is that the current Election Act contradicts existing legislation, at both the federal and the provincial levels, with regard to privacy. In Ontario, as you know, we have the information and privacy commission, which is set up precisely to ensure that individuals' rights to privacy are safeguarded, and there is some concern that the current Election Act may in fact infringe a generous interpretation of our personal freedoms under the Canadian Charter of Rights and Freedoms.

The third difficulty with the current legislation is that it also contradicts federal legislation on this very issue. The elections act federally has been amended, it's been pointed out before, to ensure that the right to privacy is protected.

Fourthly, the problem is that there is a serious concern that the lists might be used for other purposes, whether those purposes are criminal or otherwise. Quite apart from issues of security, one isn't clear whether these particular lists that are stolen and vandalized are being used to target people in any other way. This indeed is of grave concern.

This particular amendment to the legislation is correct for a whole host of reasons. The first and foremost is that the purpose of accessibility and correctness, which was a stated intent of the list and the publication of the list in the way it was originally published, is preserved. They're preserved by having those lists available at the returning office.

I see some very clear advantages. The advantages are that the purpose of the list is unaffected; privacy is protected; security is enhanced, or at least protected; accessibility remains; and quite frankly the cost is bound to be cheaper because we will not have to have copious lists published and then distributed all through the various electoral ridings.

The weight of the evidence is in favour of this amendment and I urge all members of the House to vote for it.

Mr Mike Colle (Oakwood): I echo really the sentiments of previous speakers on both sides of the House on this and I hope this bill is a catalyst for more comprehensive changes in the Election Act.

I certainly concur with my colleague the member for High Park-Swansea. In the last election the process did not do any kind of service to democracy. The enumeration process was pathetic at best, and so many people were deprived of the right to vote because of this archaic system we have and the inconsistencies we have between the provincial, municipal and federal processes.

As you know, one of the most blatant examples of that is that if you aren't on the voters' list and you show up on voting day, municipally or federally you can still vote; provincially there are so many people who are turned away crying because they cannot vote. They come there with passports, with ID, with birth certificates, and they cannot vote because of the system that is in place right now.

I think this may be typical of the archaic process that is in place. Hopefully, this will be the beginning of a process which puts in an election system that is fair, that is efficient and that works, because at this point in time there are so many anomalies and inconsistencies in the process that, again, a lot of people went through the last election and it left a bad taste in their mouth because the process that is in place has so many quirks and so many inconsistencies in it that it really stops people from exercising their democratic right.

As I said, I hope this bill has perhaps the beginnings of many more comprehensive changes that are needed in the Election Act, and I think even the election commission itself recommended changes last time. I'm not sure why the comprehensive changes weren't brought about during the last Parliament, but I think this posting of names on the lamppost, or whatever it is, in neighbourhoods may be typical of the fact that the electorate doesn't see any real value—in some cases some of the processes are a hindrance and cause concern among the electorate.

I urge everybody to support Bill 2, and hopefully we can go on from this to overhaul and bring the election process in Ontario into the 21st century to make it accessible to everyone in this province.

Mr Frank Klees (York-Mackenzie): I'm pleased to rise and speak in support of this bill. I don't think that we'll have many opportunities in the course of the sitting of this Legislature to commend members on the opposite side for a very commonsense proposal, and I'm pleased that I do have that opportunity.

I also just want to speak in support of the comments made by my good friend the member for High Park-Swansea, who so eloquently spoke in favour of this bill. We look forward. As the previous member who spoke said, this would only be the beginning of some meaningful reform to the Election Act. I urge members in this House to support this bill.

Mr McGuinty: I want to begin by thanking all members who have commented on my bill and for their contribution to the debate and for their offers of support.

I want, as a point of clarification to comments raised by the member for Cochrane South, just to confirm that my bill merely addresses a provision in the existing legislation which requires that lists be posted in urban areas alone. There is a different practice taking place in rural areas and my bill will not affect that in any way whatsoever.

Furthermore, I would think that given the significant distances my colleague from Cochrane South described in terms of how long it would take to drive somewhere to look at the darned list, it would be appropriate that a telephone call be made, if at all possible. The chief election officer has confirmed that if this bill goes through, he would expect that he would make it a more widespread practice to advertise telephone numbers and to make sure that people understand, first of all, that there's an election on and that there's opportunity for them to confirm whether or not they are on the list.

Finally, again, I'm putting forward something here which has been proposed by the chief election officer since 1988. It was supported by the standing committee on the Legislative Assembly in this House in 1990. It's supported by women's groups and by police. I think it's high time we move forward with it.

As well, I want to draw to the attention of, in particular, the members of the government that in the 1991 report of the chief election officer he included some recommended legislative changes. In fact, there are 38 recommendations for changes in there. It's fairly substantive in terms of the kinds and the extent of the changes that have been made. In fact, he also goes so far as to include—

The Deputy Speaker (Mr Bert Johnson): The member's time has expired.

Mr McGuinty: It's all there. Anyway, I thank the members for their attention. I appreciate their support.

FREEDOM OF INFORMATION

The Deputy Speaker (Mr Bert Johnson): Ballot item number 7, private member's notice of motion number 4, standing in the name of Mrs Munro: Is there anyone opposed to taking a vote on this now?

Is it the pleasure of the House that this motion carry? Carried.

ELECTION AMENDMENT ACT, 1995

LOI DE 1995 MODIFIANT LA LOI ÉLECTORALE

The Deputy Speaker (Mr Bert Johnson): Ballot item number 8, the second reading of Bill 2, An Act to amend the Election Act, standing in the name of Mr McGuinty: Is there anyone opposed to taking a vote on this now?

Is it the pleasure of the House that this motion carry? Carried.

The bill is referred to committee of the whole.

It now being 12 o'clock, this House is adjourned until 1:30 o'clock.

The House recessed from 1202 to 1331.

MEMBERS' STATEMENTS

ONTARIO DRUG BENEFIT PROGRAM

Mr Mario Sergio (Yorkview): The list of broken Tory election promises continues to grow. During the election, Mike Harris continually gave his assurances to the people of this province that there would be no new health care user fees. We now know, through a leaked ministry document, that the Conservative government is presently considering implementing user fees or, as the Minister of Health chooses to label them, copayments. While the minister chooses to play this game of semantics, seniors in this province face the disturbing prospect of shelling out more money for their drug prescriptions.

The problem is that many of Ontario's seniors are presently on a fixed income and can't afford such an increase for prescription medication. The Common Sense Revolution promised that there would be no user fees with respect to health care and that any government cutbacks would not hurt seniors. However, the seniors and others who rely on the Ontario drug benefit plan now know that these promises were not worth the paper they were written on.

It is time for this government to do the right thing; it is time for the Premier to show some compassion; it is time for the Minister of Health to stop playing games with the seniors of this province and live up to their promise and not introduce health care user fees.

COMMUNITY HEALTH SERVICES

Mr Tony Martin (Sault Ste Marie): I rise today in recognition of the very difficult challenge we all face in trying to provide competent and timely health care to the residents of northern Ontario.

I am formally and publicly inviting the Minister of Health to visit Sault Ste Marie and Wawa to see at first hand two initiatives that have been developed over a number of years by these two communities to respond to the very critical need to have health professionals and services readily available.

The first initiative is the Group Health Centre in Sault Ste Marie. This is an internationally renowned institution of health services delivered cooperatively by doctors, nurse practitioners, registered nurses, physiotherapists, optometrists and a multitude of other medical practitioners guided by a community-based board of directors.

The second initiative is the North Algoma Health Organization. This program is run along the same lines as the Group Health Centre in the Sault and is just beginning to take shape in Wawa. In both instances the local communities have taken responsibility for the operation. They have been creative and courageous. They are working cooperatively to the benefit of both the community and the health care professionals.

I have spoken personally to you about this, Minister, and I know you have been invited previously by these organizations. Today Bud Wildman, my colleague the member for Algoma, and I personally invite you to visit these two centres. We will be your hosts, if you like, so that you might have the benefit of our experience and understanding of how valuable and important both these operations are to health care in the north.

SOCIAL ASSISTANCE

Mr Joseph N. Tascona (Simcoe Centre): I wish to share some encouraging statistics which represent a decrease in the number of welfare cases in Barrie and an increase in the number of these people who have found jobs since the government's announcement to reduce welfare payments. In August, 33 cases were closed because these people found jobs. Another 43 were closed in September, for the same reason: These people found work. In October another 25 people found work and got off the system.

Since the Minister of Finance made his announcement in July, the total number of welfare recipients in Barrie has dropped each month. In August there were 1,653 cases, 1,034 of whom were employable. In September there were 1,535 cases, 923 of whom were employable. The most recent data for the month of October show there were 1,323 cases, and 762 of these people were considered employable.

I say that if 101 people found jobs between July and October there is work out there, and the cuts announced by the minister are encouraging people to go out and find work.

COMMUNITY SERVICES

Mr Frank Mclash (Kenora): The staff of the Vermilion Bay Area Social Planning Council and the residents of the Vermilion Bay area are concerned about this government's elimination of their community program funding. The council has been serving the Vermilion Bay area for over 17 years and works on behalf of more than 1,600 residents who use its services.

The drastic cuts by the Harris government will result in eliminating or reducing vital community programs which cater to the needs of seniors, the disabled and children. While the government claims it wants to cut recreational program funding, it is actually destroying numerous home support services for seniors—services such as Meals on Wheels, medical transportation for seniors, home maintenance and visits for seniors, seniors telephone hotline and the emergency response system for seniors. This government's cuts to planning councils throughout the province are simply unjust, cruel and irresponsible.

Tomorrow night I am meeting with the volunteers and staff of the Vermilion Bay social planning council. I wish I could explain the common sense of these Conservative cuts, especially in light of the Premier's election promise which stated in the Common Sense Revolution, "Aid for seniors and the disabled will not be cut." But obviously, there isn't any common sense here. There is no common sense to these cuts, just as there is no common sense to this government.

MUNICIPAL PLANNING

Ms Marilyn Churley (Riverdale): Earlier this week the Coalition for Good Planning drew attention to the Tory plan to gut the Planning Act. These protections were put in place by the NDP government to safeguard our environment and preserve our prime farm land. I suggest to the minister that his plan to repeal planning reforms is based on the false premise that the legislation wasn't working. The new law was only just proclaimed in March

of this year and the province had barely begun to switch over to the new system. What kind of logic is this?

And another logical flaw: Urban sprawl is expensive to service, whether we are talking about policing, fire protection, transportation or other services. Where's the common sense in that?

Recently, the minister told a meeting of the Canadian Bar Association that the policies themselves are weighted too heavily towards protecting the environment. Apparently the minister also feels the current legislation is too heavily weighted towards ensuring public input on planning issues, since the minister also plans to scale that back significantly with Bill 20.

There you have it. Like so many of this government's decisions, repealing these important reforms is based not on rational assessment of the facts but on ideology: "Nothing must get in the way of unfettered development. Drain the wetlands and pave over that prime farm land; here comes another mall and another parking lot."

POLICE BRAVERY AWARDS

Mr Trevor Pettit (Hamilton Mountain): Recently, the Ontario Police and Firefighters Bravery Awards were handed out at the University of Toronto by Ontario's Lieutenant Governor and the Solicitor General.

I am very proud to say that one of the recipients was Constable Thomas Britt of Hamilton-Wentworth Regional Police Force, who is a resident of my riding of Hamilton Mountain.

One evening, while off duty, Constable Britt was called to a very dangerous situation by a neighbour. Constable Britt entered a residence where a man was threatening to kill himself with a sawed-off shotgun, which he had cocked. After escorting other occupants of the house to safety, Constable Britt confronted the distraught man. While having the gun pointed at him, Constable Britt was able to talk to the man, disengage the firearm and prevent a potentially tragic event. Constable Britt displayed tremendous bravery on that evening.

I would like to salute Constable Thomas Britt of Hamilton Mountain, along with all the other recipients of this year's bravery awards for their tremendous acts of courage. All too often, the excellent work done by our police and fire departments goes unnoticed. I ask all members of the House to join me today in acknowledging the efforts of these men and women of valour. They deserve our ongoing support and encouragement as they carry out their difficult duties and, in so doing, make all our communities better places in which to live.

I'm honoured to present to the House today the pride of the Hamilton-Wentworth Regional Police Force and indeed, the pride of Hamilton Mountain, Constable Thomas Britt, who is accompanied by his wife, Linda.

1340

FESTIVAL OF LIGHTS

Mr Rick Bartolucci (Sudbury): In less than eight hours from now, a major event in Sudbury will be plugged in. The north's largest display of Christmas lights will be turned on at 7 pm on the grounds of Science North. The evening will also feature the Living Nativity presented by All Nations Church.

This display known as the Festival of Lights is a total community effort. It is bigger this year thanks to the donation of several silhouettes made by the Industrial Trades Centre for Women. The event is sponsored by the Sudbury Charities Foundation, which has over the last five years donated tens of thousands of dollars to the needy.

This event is more than a Festival of Lights. It is a festival of sharing, it is a festival of caring and a festival of our love for our fellow man. This cavalcade of lights provides a ray of hope for the disadvantaged and for those who require the assistance of others to provide for a happy Christmas for needy children.

Our community of Sudbury is proud of the care we show for others and invites the public to visit the display free of charge daily from 4 until 11 pm through to January 7. The Sudbury Charities Foundation will have a kettle set up to accept donations from spectators. Due to this provincial government's insensitivity to the needy, we are confident that the total of \$32,000 collected last year will be eclipsed as the community of Sudbury rallies around those in need.

I am honoured to be a part of the opening ceremonies this evening at 7 pm and invite the Premier and all the cabinet ministers, who may be in town early to attend the \$150-a-plate gala Tory fund-raiser in Sudbury, to participate.

COMMUNITY SERVICES

Ms Shelley Martel (Sudbury East): I want to bring to the attention of the Premier yet another organization in the riding of Sudbury East which is a victim of Conservative funding cuts.

The Community Action Network/Réseau action communautaire was incorporated in 1989 and received registered charity status in 1994. CANRAC is a multi-service agency which identifies and delivers a range of health, social services, education, recreation and child care services in Sudbury district east, a rural district containing both municipalities and unorganized areas.

Since its inception, CANRAC has run a literacy program, summer programs for children and youth, coordinated visits and outreach by a chiropractor, the Sudbury and District Health Unit and the VON, and has assisted seniors needing legal assistance and aid in completing health and tax documents. In 1995, the organization became the sponsor for the JobLink Resource Centre in Sudbury district east, opened up three job banks, started three play centres and completed a study of primary health care needs which was leading to a proposal for a community health centre.

This Conservative government is cancelling 100% of CANRAC's funding by December 31. There is no other organization in Sudbury district east which operates a similar network of important services.

The chair of the board has invited Mike Harris to meet members of the organization when he's in Sudbury tomorrow. They can't afford to pay \$150 per plate to attend the Tory fund-raiser, but they are prepared to meet with him anywhere else at any time. Maybe if Mike Harris actually talked to people providing important

public services, he would then value their work and continue to fund them.

CARDINAL NEWMAN CATHOLIC SECONDARY SCHOOL

Mr Ed Doyle (Wentworth East): Later today I'll be presenting a petition on behalf of the students and parents of Cardinal Newman Catholic Secondary School, located in my riding. They've asked me to convey to this House their desire for a rebuilt school in one location. In fact, they've been trying to accomplish this goal for over 10 years.

Currently, the 1,400-plus students of Cardinal Newman are spread out between two campuses located 10 kilometres apart. The mere fact that they're unable to be at one location severely hinders the delivery of high-quality education. Moreover, this separation necessitates midday transfers of students and teachers alike in order for them to reach their next class.

In addition, due to the fact that large portions of the heating systems, the roof and the windows are irreparable and that there are more students than can be accommodated efficiently, Cardinal Newman has had to resort to using up to 29 portables at times.

As a proud member of the Mike Harris government, I have made a solemn commitment to the Common Sense Revolution. This commitment is extended to getting the spending crisis under control. We must do this now before it's too late and there is no Cardinal Newman school at all. The changes that we'll be making over the next few weeks and months will make it possible for our government to improve the education system in our province.

It is my sincerest desire that during the next four years the students of Cardinal Newman will be able to learn and flourish in a proper learning atmosphere. A new school would help accomplish this goal.

STATEMENTS BY THE MINISTRY AND RESPONSES

ACADEMIC TESTING

Hon John Snobelen (Minister of Education and Training): I'd like to begin my statement today by pointing out to members that some of the members of the Ontario Public School Boards' Association are in attendance today. Particularly, the association's president, Donna Cansfield, and the executive director, Mike Benson, and all the members of the association's executive council are with us today.

Today I'm very pleased to announce another important initiative that reflects this government's commitment to providing accountability and excellence in education for Ontario students and taxpayers.

This initiative follows other recently announced reforms to Ontario's education system, including secondary school reform and the establishment of the Ontario College of Teachers.

Our government will introduce a comprehensive testing program to be undertaken by an independent agency. This agency, called the Education Quality and Accountability Office, will monitor and report to the public on the performance of our province's education system. It will

be the first of its kind in Canada. We will introduce legislation to bring this about.

To be truly accountable, our education system must provide relevant information on how well Ontario students are learning. Testing students regularly on their level of knowledge and skills and reporting test results objectively will help improve student performance and boost public confidence in our elementary and secondary schools.

The agency's first task will be to introduce comprehensive testing in the province. It will test all students in grade 3 in reading, writing and mathematics, and all students in grade 11, along with sample groups of students in grades 6 and 9. The first grade 3 test will be administered in the next school year. The agency will also manage the province's participation in national and international tests.

An important function of the agency will be to report annually to government and to the public on the performance of our education system. As well as providing a snapshot of student performance in English- and French-language schools, the agency's report will also make recommendations on changes to improve education.

By dedicating itself exclusively to improving the quality of Ontario education, the agency will respond to the public's demand for closer scrutiny and greater accountability in education.

The concept of such a specifically focused agency at arm's length from government was one of the recommendations of the Royal Commission on Learning. We are not establishing the \$25-million version proposed by the previous government, but rather a much more effective agency that will cost approximately \$15 million.

An interesting feature of this agency is that, once up and running, it will eventually be able to explore the possibilities of marketing its expertise to jurisdictions outside Ontario.

This initiative is part of our government's long-range strategy to provide Ontario students and taxpayers with a high-quality, accountable and affordable education system that is second to none, and today's announcement is another step forward towards achieving that vision.

In establishing the Education Quality and Accountability Office, our government is making a commitment to quality assessment and a long-term investment that will lead to ongoing improvement of student performance and of the entire education system.

VICTIMS' BILL OF RIGHTS

Hon Charles Harnick (Attorney General, minister responsible for native affairs): I am pleased to announce today that this government is introducing for first reading a Victims' Bill of Rights, An Act respecting Victims of Crime.

With this legislation, Ontario will have one of the most comprehensive Victims' Bills of Rights in the country. This initiative reflects the important role that victims play at all stages of the criminal justice process. The Victims' Bill of Rights is an important step by this government to refocus the justice system so that victims of crime are given the recognition and the support they deserve.

This government will not accept a system that allows victims of crime to suffer twice: first at the hands of the criminal and, second, under a justice system that does not respond to and respect victims' needs.

However, we are faced with the challenge of improving the plight of victims while remaining fiscally responsible. It is not an easy task, but we will do the best we can to provide for the needs of victims during these difficult economic times.

Our Victims' Bill of Rights will legislate a set of principles to support victims throughout the criminal justice process by providing them with supportive, respectful and courteous treatment. It will support access to information at all stages of the criminal justice process. It will support access to civil remedies for victims who are seeking redress. It will support child witnesses by amending the Ontario Evidence Act to make it easier for children to be witnesses at civil proceedings. It will support the provision of better information to victims about the conditional release of offenders from provincial institutions.

1350

This bill will also enshrine the victims' justice fund, guaranteeing that moneys collected under the victim fine surcharge will be solely dedicated to providing services for victims.

Today's announcement is one of our government's initiatives to provide victims with the support they deserve. The announcement also fulfils our election promise to introduce a bill of rights for victims of crime.

I remind the House today that this legislation is a major step towards striking the proper balance between the rights of the accused and the needs of the victim. Our government is dedicated to bringing about meaningful change to the way victims are treated in the criminal justice system.

I would like to take this opportunity to thank my colleague the Honourable Cam Jackson, MPP for Burlington South, whose dedication to advancing this bill is gratefully acknowledged. As a private member Mr Jackson first introduced a Victims' Bill of Rights in 1989, and his efforts since that time have been unceasing on behalf of victims.

I would also like to thank my honourable colleagues the Solicitor General and Minister of Correctional Services, Bob Runciman; the Minister of Community and Social Services, David Tsubouchi; the minister responsible for women's issues, Dianne Cunningham; and the Minister of Health, Jim Wilson, who have supported and helped to refine this historic bill.

I call on members of this Legislature to do something they have refused to do up to now; that is, to support a Victims' Bill of Rights by supporting this very important piece of legislation.

SALARY DISCLOSURE

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): I rise today to announce that the government will shortly be introducing legislation that will require organizations that receive public funding to disclose annually the names, positions, salaries and benefits of employees paid \$100,000 or more a year.

The purpose of the Public Sector Salary Disclosure Act, 1995, is to make the public sector more open and accountable to taxpayers. It will give the public the kind of information to which they are entitled about how the province and public bodies it funds compensate their senior staff. We committed to this in the Common Sense document and we are delivering.

The salaries and benefits paid to the public sector have not recently been a matter of public record, even though they were paid out of the public purse. This bill is a sunshine law that will permit the taxpayers of Ontario to obtain information that has previously been shrouded in unnecessary secrecy. Indeed, the Information and Privacy Commissioner has called for broader public disclosure of public sector salaries. Taxpayers have a right to this information so they can compare an organization's performance and priorities with the way it compensates its senior staff.

The disclosure requirement will start with the 1995 calendar year and will apply to public organizations in the province's jurisdiction that receive funding from taxpayers. These include the Ontario public service and the Legislative Assembly; provincial crown corporations and agencies such as Ontario Hydro, the Liquor Control Board of Ontario and the Workers' Compensation Board; and municipalities, school boards, colleges, universities, hospitals and other organizations that receive transfer payments from the province of at least \$1 million annually or 10% of their gross revenues, if that amount is \$120,000 or more a year.

Organizations will be required to give public access to this information at no charge by March 31 of the following calendar year.

We believe public sector employees will support this initiative. However, the bill will authorize the government to hold back part or all of the organization's transfer payments if they do not comply. If this is still the case at the end of the government's fiscal year, the funds will be used to reduce the deficit.

We are committed to returning the meaning of the word "public" to public sector salaries. The Public Sector Salary Disclosure Act, 1995, will serve the interests of Ontario taxpayers by making the provincial government and publicly funded organizations more accountable.

ACADEMIC TESTING

Mr Richard Patten (Ottawa Centre): I am pleased to respond to the statement by the Minister of Education and Training concerning the testing program that is being put forward and also the establishment of an independent agency that will monitor and report on this.

I do, of course, have a few concerns still with parts of the statement, Mr Minister. One is that between grade 3 and grade 11 are many years—eight years—and some of those are formative years in the life of a young person. That obviously will have some impact on testing capacity as young people grow and mature and change their perceptions of who they are.

The sample testing that you refer to is nothing new. It is going on all the time but cannot really replace a province-wide basis. I would be interested to hear more,

when the legislation is introduced, in terms of how he perceives this testing program to be more effective than what is there at the moment, especially in terms of introducing a province-wide testing program when we don't have a province-wide curriculum. So we will be testing people with one standard when from board to board the curriculum may vary.

The other point would be: What are some of the other factors that will influence testing? Will this agency adopt the sensitivities that will take into consideration the nutritional needs of children, which we know affect testing? Will it take into consideration those youngsters with special needs, and how will that be managed by this particular body?

I look forward to seeing the legislation come forward. My final question would be, where will the \$15 million come from? It's not in the budget of the Education ministry at the moment. Anticipating some kind of cutbacks from the government, I'd be curious as to know where this \$15 million may come from.

VICTIMS' BILL OF RIGHTS

Ms Annamarie Castrilli (Downsview): I'm delighted to rise to respond to the Attorney General. I would remind the Attorney General that he's just a trifle late in introducing his victims' legislation. I remind the Attorney General that we announced our legislation in mid-October; indeed, there was first reading on October 30.

Let me, for the benefit of members from the other side, just outline some of the issues that we hope will be in this bill and were indeed included in ours. I hope that the legislation will include a satisfactory and contemporary definition of what a victim should be, which should include a spouse, a parent or other specified relatives of victims who may have died as a result of crime, and even guardians in those particular circumstances. A victim, I hope, will be informed by the police of the services that are available for the victim and the relative provisions that apply in the specified statutes, and that this be done in a timely fashion.

Victims should be kept informed by the crown attorneys' office as well of the progress that is made with respect to the investigation of their crime and of any charges that are laid in connection with the crime. Victims should also be given an opportunity to discuss plea bargains with the crown attorneys' office, and victims of sexual offences should be interviewed by police officers or officials of the same gender.

Our bill also provides that victims should be informed by the crown attorneys' office of the progress of court proceedings and should be given an opportunity to make victim impact statements before a person convicted of a crime is sentenced.

In addition, victims of a crime should be provided information with respect to the custody of the person who was convicted of committing the crime and should be given an opportunity to make representation. These are standards that we hope the Attorney General will follow.

We have some questions, sir, about things that you've not in fact dealt with. What will be the status of plea bargaining with respect to victims of crime? We don't see

that here. We don't see any real addition to the victims of crime fund that you are talking about. Those sums are minimal; they're not in fact real funds that you are adding. We hope that they will be applied appropriately to the victims.

1400

ACADEMIC TESTING

Mr Bud Wildman (Algoma): I rise to respond briefly to the Minister of Education and Training's statement with regard to testing. Not only did the minister fail to give credit where credit was due in terms of the proposals for testing, he also failed in his statement to make it clear that this is a major backoff from what was committed to by the previous government with regard to comprehensive testing of students' performance across the province.

Rather than testing at grades 3, 6, 9 and 11 across the province, the minister is proposing only to test comprehensively reading, writing and mathematics at grade 3 and grade 11, with sample testing at grades 6 and 9. As my colleague the member for Ottawa Centre indicated, there is a great time lag and distance between grades 3 and 11, and it would be unfortunate if we aren't able to test comprehensively the success of students across the province at all of those levels.

I suppose this is how the minister is saving the \$10 million that he argues is going to provide a more effective and efficient testing program for \$15 million rather than the \$25 million which was budgeted by the previous government. How this is going to be more effective remains to be seen. I would hope also the minister would make it clear that this is an attempt to look at the overall performance of Ontario's English- and French-language students and not an attempt to set up a sampling of various schools for a comparison base.

VICTIMS' BILL OF RIGHTS

Mrs Marion Boyd (London Centre): In response to the Attorney General, these are fine words, and as I've said in this House before, fine words butter no parsnips. Fine words don't help victims of crime. What helps victims of crime are services. Quite frankly, it would be very interesting for all of us to see exactly what these fine words actually mean when services are being destroyed all around this province and taken away from battered women, from children who are abused. It is quite an interesting aspect.

Our government refused consistently to do the kind of window dressing that your government thinks you're going to get away with in this province. Victims of crime are not going to be at all fooled by the kind of fine words that you have in this bill.

Your first point, legislating a set of principles: Does that set of principles include victim-witness services in every court location in the province? Oh, that wouldn't be fiscally responsible. Support to access of information at all stages: What is the punishment if that access isn't given? What is the recourse of a victim if that does not happen? Support access to civil remedies for victims who are seeking redress: What does that mean? We're going to a tort system? Does that mean withdrawal of support from the Criminal Injuries Compensation Board? Does

that mean that you're going to force victims, on their own, without the support of legal aid, which has been withdrawn for civil cases, to go into the courts and try and get redress for the criminal injuries that have been foisted upon them?

We're delighted that you're changing the child witness act to make evidence easier, but we see that as a bit of a farce when you're withdrawing services from children by cutting children's aid societies, by cutting a lot of the supportive mental health services that are available for children. We certainly support the provision of better information to victims about conditional release of offenders, but where's the protection in information? Where is the guarantee from the Solicitor General that those released offenders will be monitored? It's not here, and victims will not be fooled by these fine words.

ACADEMIC TESTING

Mr Bob Rae (York South): I simply want to say directly to the Minister of Education and Training that this is the third announcement that he's made with respect to education, and for a first-time member and a first-time minister it might be useful for him to at least recognize that the former minister and, if I may say so, the former deputy minister, who was summarily fired by your government, were in fact very responsible for the steps which you are announcing.

What I find ironic is that in your announcement today you're providing less testing than was recommended by the royal commission, less testing than was agreed to by our government in the spring of this year. Perhaps, when you come into the House and announce that you're moving ahead with secondary school reform and the establishment of the Ontario College of Teachers, a little humility, just a dash of humility, might be in order in terms of recognizing the kind of work that went into—

The Speaker (Hon Allan K. McLean): The member's time has expired.

ORAL QUESTIONS

HOSPITAL RESTRUCTURING

Mrs Lyn McLeod (Leader of the Opposition): My first question is for the Minister of Health; it's a very simple and straightforward question. Minister, is your ministry drafting any changes to the Public Hospitals Act, and if so, could you outline for this House what those changes might be?

Hon Jim Wilson (Minister of Health): In meetings recently with the Ontario Hospital Association, they have asked us to consider a number of tools that they would like in place and would like this government to consider, given that we have already signalled that we will be moving ahead with hospital restructuring in this province.

Mrs McLeod: I take that to mean that the minister is indeed looking at changes to the Public Hospitals Act. We had received information that you were indeed in the process of drafting changes without apparently any consultation, so it does raise some concerns about the nature of the changes that you might be proposing. Minister, you may be aware there are some rumours and some very real concerns about whether or not you are looking at some fairly significant changes. One of the

changes we've heard you might be considering is the creation of a new body called the Provincial Restructuring Commission.

As I understand it, the purpose of this body would be to manage or perhaps control hospital restructurings across the province. In other words, that sounds to me like you would be somehow stripping district health councils of their role in planning and giving that responsibility to a new centralized body set up by your ministry.

Another potential change we've heard word of would be even more disturbing, and that's the question of whether or not you are drafting legislation that would give you, as Minister of Health, the ability to unilaterally close hospitals. Minister, you have an opportunity today to put the rumours to rest and say that this is not so.

I ask you, will you rule out the possibility of stripping district health councils of their planning role? And will you rule out any possibility of giving yourself the power to unilaterally close hospitals?

Hon Mr Wilson: I don't know where the honourable member gets her information, other than to say that with respect to the implementation of restructurings, the advice that you're talking about came from the Ontario Hospital Association itself. If that's where your information is coming from, you may want to go back and ask them. I don't sit around at night thinking up ideas on what tools others may need to restructure the system. I've been listening to our partners out there, and while we're reviewing all our programs and our legislation in this area, we've been taking into consideration their suggestions and suggestions that have come from the district health councils themselves.

It is clear to me, in my personal opinion, that the people who write these district health council hospital restructuring reports have a great problem actually implementing them. We have said very clearly to the DHCs, "We want you to continue your planning role," so that part of your question isn't correct.

The second part, though, is with respect to implementing hospital restructurings. We do need a system in place to help district health councils implement their plans; nothing secret in this. I said it publicly in my Ontario Hospital Association speech two weeks ago, I've said it with all of our partners and we've asked for their ideas on how we actually go about, in a smooth and cooperative way, implementing DHC hospital restructuring studies once the DHCs have done those studies with no interference from Queen's Park.

1410

Mrs McLeod: There were a great deal of words in response to that question, and what I asked the minister was to rule out any possibility of his bringing in legislation to this House that would give the Minister of Health the unilateral ability to close hospitals. I am more than a little surprised that with all of the words, and I listened very carefully to the minister's response, he did not rule out the possibility that he would be giving himself the power to close hospitals.

I take from your refusal to say that you were ruling that out that you are at least considering that kind of a

change. I can't believe you're serious about giving yourself the ability to decide what hospitals will stay open and what hospitals will close. We all know that the decisions about hospital restructuring are difficult ones to make and we all know that communities are anguishing over making those difficult decisions. If there are problems with the district health council in the implementation, surely you don't eliminate their role or step in and take over; surely you fix the problems and facilitate it.

I wonder, if you bring in this power that you will be able to step in and arbitrarily make those final decisions on behalf of communities, how you are going to exercise this new and arbitrary power that you would give yourself. I almost find myself wondering if you've got some kind of a hit list of hospitals, that you've already made decisions about which hospitals are going to stay open and which hospitals are going to close, much like your colleague the Solicitor General.

The Speaker (Hon Allan K. McLean): Put your question.

Mrs McLeod: Minister, I ask you, how are you going to exercise this arbitrary authority, and what has happened to your view that ultimately it is the local communities who can best decide what is in their interests and according to their needs?

Hon Mr Wilson: I'm going to say as calmly as I can to the honourable member that the reason governments have been unable to come to grips with the need to restructure the hospital sector is because of comments like this and politics like this from the leader of the Liberal Party.

She knows very well that this government has no list of hospitals to close. She knows very well that for a number of years, and millions of dollars later, district health councils have been examining their own local communities and trying to figure out how to maintain and enhance the quality of services in their area, given the limited financial restraints that all of the sectors of our economy and broader public sector are under.

I think we should be celebrating the fact that district health councils without political interference from Queen's Park have been planning together, have been looking where there are redundancies in the system, have been trying the very best they can to eliminate waste and duplication and to try and make the hospital system more efficient for their local communities and maintain quality services.

I for one see good news in the work our district health councils are doing, and since coming to office—and I give credit to the NDP government and the process they started—we are trying to support district health councils in their planning role and to help them implement the results of their studies.

The Speaker: New question. The leader of the official opposition.

Mrs McLeod: Methinks the minister protests too much. I merely asked him what changes he's planning to bring in, when he's going to bring them in and who he's going to—

The Speaker: Who is your question to? Do you have a question?

Hon Mr Wilson: You're an old-style politician.

The Speaker: Order. Who is your second question to?
ONTARIO DRUG BENEFIT PROGRAM

Mrs Lyn McLeod (Leader of the Opposition): To the Minister of Health, although I will turn for the moment to another subject and hope the minister can provide greater clarity on earlier answers that he's provided to the House, particularly on the issue of his plan—we understand his plan—to charge user fees for patients on the Ontario drug benefit plan.

Last week, Minister, you told my colleague the member for Oriole that your government will not introduce user fees on medically necessary services. I'm trying to be very careful to quote you directly. I'm sure that patients who use the Ontario drug benefit plan were very relieved to hear you make that commitment in this House because of the concerns they've had about introducing user fees.

I'd like to ask you a very specific question about the commitment you made last week. If a person is prescribed medication by a medical doctor for a medical condition such as, for example, breast cancer or diabetes, is it your opinion that that medication is or is not medically necessary?

Hon Jim Wilson (Minister of Health): The term "medically necessary" comes from the Canada Health Act itself and is used by people in the business of health care specifically within the context. This government, as you know, does not decide what is medically necessary in a unilateral way. Those decisions are made by the medical community and recommendations from time to time on what will be listed under the definition of the Canada Health Act and what will not be listed come from the medical community themselves. Those recommendations are then dealt with by government.

With respect to copayments, we're not doing anything different than what the Honourable Elinor Caplan, when she was Health minister in 1988, was looking at. She said at that time:

"We have in place right now a system of copayment for chronic care. I believe that there may be other appropriate copayment opportunities which are not a deterrent to appropriate services."

I can confirm with the honourable member that indeed her party, the Liberal Party, in its time in office was looking at the same programs that we're looking at today. I can confirm that.

Mrs McLeod: I wonder if by the end of this session we'll be able to stop reminding this minister that he is now the Minister of Health, that his government's commitments are what is at issue, and certainly what's at issue today, because I remember the commitment in the campaign document of the now government very clearly.

It said in very clear language, "Under this plan, there will be no new user fees." It doesn't say, "No new user fees except for those on the Ontario drug benefit plan," it doesn't say, "No new user fees except for those items that are not covered by the Canada Health Act," and you

have tried to wiggle out of that commitment by using those kinds of exceptions before. But last week you said, as clearly as I thought you could say, that there would be no new user fees on medically necessary services.

Now, Minister, I agree that you do not decide what is medically necessary, so my question again: If you agree with me that medication prescribed by doctors as medically necessary is medically necessary, how can you justify even considering imposing user fees for the Ontario drug benefit plan?

Hon Mr Wilson: If we were to bring in user fees—
Interjections.

Hon Mr Wilson: Excuse me—then we would be in violation of the Canada Health Act. You tell me, honourable member, how nine other provinces have copayments on their drug plans and all kinds of other plans, and yet no one today says those are user fees in violation of the Canada Health Act.

Mrs McLeod: I say to this minister, in case he has somehow forgotten as he obfuscates the issue with words, that his leader, when he was the leader of the third party, made the following statements. I draw your attention to the statements of your leader, because they were very clear and very unequivocal. "A fee hike is a tax hike; a copayment is a user fee." Your leader also said, "The debate over health care is too important for politicians to deceive the public with misleading language."

You can use all the weasel words you want, Minister, about medically necessary services and copayments and levies and the Canada Health Act and whatever else you care to do, but the fact is your leader was right. This issue is too important to too many people for weasel words and game-playing.

Will you give us your assurance now that next week's economic statement will not include any new user fees for health care and keep the commitment clearly and unequivocally that your government made?

Hon Mr Wilson: I'd be happy to keep our commitment in terms of—right on the same page that we talk about health care, we talk about the Canada Health Act. Again I repeat that, unlike groups right now that we're having discussions with that want us to bring in user fees on medically necessary services under the Canada Health Act, I'm resisting that and we will not be bringing in user fees on medically necessary services as defined by the Canada Health Act.

The Speaker (Hon Allan K. McLean): New question, the leader of the third party.

Mr Bob Rae (York South): User fee, copayment; user fee, copayment. That's how it works.

1420

SOCIAL ASSISTANCE FOR DISABLED CHILDREN

Mr Bob Rae (York South): I have a question to the Minister of Community and Social Services. Yesterday my office got a phone call from a young woman by the name of Lisa George who lives in the Niagara region, and she's the mother of two disabled children. This is yet another instance of a family where her benefits have been cut. She's at home taking care of her children.

One of her children takes medication which inhibits his ability to gain weight. Now, because of the 22% cut in her family benefits, she can no longer afford the high-fat foods that were recommended by her doctor and helping her son to gain weight.

I wonder if the minister is now prepared to at least publicly admit that one of the impacts of the 21.6% cut in social assistance payments is in fact to hurt the single parents of disabled children.

Hon David H. Tsubouchi (Minister of Community and Social Services): First of all, I'm not denying that there are some tough times out there for some people. This is probably about the 12th time I've answered the same question from various people from across the room and we've been pretty consistent in what we've been saying. Quite frankly, unless we're prepared—and we are prepared—to really realistically and quite frankly dedicatedly reform the welfare system, this situation will not change.

We inherited 1.3 million people on the welfare system, and this is a fact that the people across the room are not willing to accept, the responsibility for having this kind of a load given to the people of Ontario. Unless we really change this and give people the opportunity to get back to work and do various other measures, this is not going to be fixed. But we also have other programs that do assist disabled children at home.

Mr Rae: In this instance as well, Lisa George had a special tutor to help her children, who had and who have serious behaviour problems which are affecting their ability to do well in school. As a result of the 21.6% loss in her income, she's no longer able to hire that person to help the children with their schooling needs. So in effect what the minister is doing is not only affecting these children's health, but also affecting their education.

Is the minister at least now prepared to recognize that disabled children are being hurt by the cuts, and if that is the case, why would he be supporting an income tax cut to people making more than \$50,000 as opposed to trying to do something to help people like Lisa George and her kids?

Hon Mr Tsubouchi: What this really is about is having priorities, and the reason why this government is not in a position to do as much as we'd like to do, quite frankly, is once again—I mean, it's very easy for people to deny their own liability in all of this.

Mr Gilles Pouliot (Lake Nipigon): She can't defend herself. She's too small to defend herself.

The Speaker (Hon Allan K. McLean): Order, please. The member for Lake Nipigon is out of order.

Hon Mr Tsubouchi: The people who are yelling the loudest are the ones who are the most responsible for our inability to really provide more funds.

Mr Pouliot: Shame on you, the party of infamy.

The Speaker: Order. The member for Lake Nipigon, I will not warn him again: continuously out of order. Minister.

Hon Mr Tsubouchi: When I'm speaking about priorities, had some sort of restraint been exercised by the previous government, we would be in a position to really

provide more funds to the areas in which we need to through my ministry. Quite frankly, these areas are the disabled and our elderly and children in need of protection, and these people have taken away our ability to really allocate more funds to do this. Clearly people should start looking at themselves in the mirror instead of looking at me.

Mr Rae: Perhaps I could ask the minister what kind of priorities it says about our province—and we are ones who are involved with the United Nations convention for children—what sorts of priorities are they that say to a stockbroker making \$150,000 to \$200,000 a year, "We're going to give you a tax break of somewhere between \$5,000 and \$10,000 minimum," and say to Lisa George, who's taking care of a couple of kids at home, that she's going to suffer a cut of 22%, that her kids are no longer going to get the diet they need, that her kids are no longer going to get the educational help they need? Is this really the kind of province that the Minister of Community and Social Services is trying to build? Is this really what it's come down to?

Hon Mr Tsubouchi: It's not so much what I'm trying to build, but the government right now is trying to build a province that will take responsibility, which will exercise proper spending, and that's quite the opposite, because the previous government really started destroying the economy and destroying the lifestyle of people in Ontario by their overspending.

What we've done is we've created a committee of people who are front-line workers, people who are involved with providing the direct services to the disabled community, to help us define our core services, to help us put together a structure that is workable in Ontario today.

SOCIAL ASSISTANCE

Mr Bob Rae (York South): To the same minister: On November 1, the Metro family residence experienced an all-time high in occupancy, 1,450 parents and children, when the usual occupancy is somewhere between 700 and 800. I wonder if the minister can tell us, is he now prepared to accept that the cuts which he has introduced in his ministry have any responsibility at all for this current situation.

Hon David H. Tsubouchi (Minister of Community and Social Services): If I could beg your indulgence, I missed the first part of the leader of the third party's question.

Mr Rae: If he missed it, I'll try again. The Metro hostel has doubled the number of women and children that it normally has, and my simple question to him is, is he at last prepared to recognize that the cuts that he has introduced have some responsibility for this situation?

Hon Mr Tsubouchi: Perhaps we should answer that question with another question. Perhaps the leader of the third party can tell me that in 1990 to 1991 the use of hostels increased as well, and that was the time in which the government of the day was throwing money at the problem. There are a lot of glib answers coming from across the room, but the fact remains that we're committed to providing a support system out there for people in Ontario.

Mr Rae: I wonder if the minister, if he's not prepared to answer that simple question, perhaps could turn his mind to another example, and that is that in Sault Ste Marie the Christmas Cheer Depot opened its doors for the season, and the list of needy families is already double the number from last year. The economic conditions this year in the Sault are not drastically different in terms of unemployment. The recession has not had any less or more impact this year than last. The only thing we can point to is the drastic cut in social assistance benefits for a great many people in the Sault.

Is the minister at least prepared to recognize that the impact of his cuts is to increase the number of people in hostels and to increase the number of people who are describing themselves as needy, families in need of direct charity assistance? Is he at least prepared to recognize that this is the impact of what he's doing?

Hon Mr Tsubouchi: We can start cherry-picking all we like these days, and picking some selections of some areas, but I was reading the paper today and in one of the instances—and I don't remember the actual city, but we can certainly find out—they indicated they didn't really notice much of an increase in the use of hostels as well. We can look at one side or the other, but the fact remains that the government is still providing funding for about 4,500 emergency hostel beds throughout the province.

Mr Rae: I want to ask the minister this question then: What exactly is it going to take, if it's not the situation of Lisa George, if it's not the increase in number of people who are using hostels, if it's not the increase in number of families who are describing themselves as needy, what exactly will it take for the minister to appreciate that the impact of what he has done and what he is doing and what his ministry is responsible for is to increase hardship, to increase pain, to increase hunger and to increase the inability of children to learn? What will it take for him to come to terms with those simple, harsh facts of life which are growing in the province?

Hon Mr Tsubouchi: When we inherited this mess from the previous government, there were 1.3 million people trapped without any hope or opportunity in the welfare system, the welfare trap. It sounds very great for someone to look across and ask when we are going to do something about it. They have created the problem here. In fact, what we are going to do, through our workfare program, is provide opportunities for people to become net contributors to society and to make something of themselves.

The Speaker (Hon Allan K. McLean): New question.

Mrs Sandra Pupatello (Windsor-Sandwich): Finally, the Minister of Community and Social Services has admitted that Mike Harris has declared war on our children. They indeed are not a priority of this government. We really need to get that message to parents out there that Mike Harris has declared war on our children.

1430

CHILD CARE

Mrs Sandra Pupatello (Windsor-Sandwich): Tomorrow there will be hundreds of parents and children,

children who would otherwise be at child care; parents are bringing those children to the Legislature tomorrow to speak with you. I'd like to ask the Minister of Community and Social Services if he would join me on the dais tomorrow.

Hon David H. Tsubouchi (Minister of Community and Social Services): I think it was well expressed by the Premier the other day, who expressed a certain amount of disappointment that through this protest there's going to be a disruption of services to families who use the child care system. Perhaps we should be looking to see exactly what the root of this whole problem is.

The fact remains that we are doing a complete review of the child care area to make sure it's done in a more efficient way and to make sure it's done to service the people of Ontario.

Mrs Pupatello: We're not just talking about parents who are low-income, poor kids; we're not talking about just those parents. We're talking about all parents who have children in child care. Fifty per cent of the workforce is involved in some form of child care, and all these reviews and revisions are frightening to the parents of Ontario.

Tomorrow, it is parents themselves who are walking to the Legislature. From all over Ontario, some 1,000 centres, their parents and children will be walking. The parents I meet around Ontario, 500 in Minister Witmer's riding, parents of every income group, tonight in Thunder Bay how many hundreds of parents, want to hear assurances from the minister that he will not be promoting unregulated, unlicensed child care; that he also won't introduce a voucher system that will virtually destroy the child care industry.

Hon Mr Tsubouchi: What I will say is that our government is committed to providing better and more efficient child care and more choice to parents in this province. The difficulty we've had with the honourable member who just asked the question is that she has been relying so much on non-existent reports. Quite frankly, she herself is distorting the view of the province out there and really inciting people. Perhaps she should explain to the House why she's spending money for 50,000 postcards and postage to send out to infuriate people.

TORONTO BOYS' HOME

Ms Marilyn Churley (Riverdale): My question is to the Minister of Community and Social Services. I recently received some very disturbing information regarding an incident that apparently took place at the Toronto Boys' Home. I would like to ask the minister if he is aware that on the evening of Friday, November 17, 1995, a 12-year-old girl was reportedly sexually assaulted at the Toronto Boys' Home, which is funded by his ministry. Can the minister explain how such a horrific incident could occur in a supervised group home for juveniles?

Hon David H. Tsubouchi (Minister of Community and Social Services): I apologize to the honourable member; I didn't quite get the first part. The difficulty these days is that there's so much noise in the House, as you fully understand, that it's very difficult for the government to hear and perhaps conduct business in an

efficient way. Maybe your phone is going to ring shortly as well.

As the member well knows, I cannot comment on a specific instance with respect to a specific client. If there's a concern about it, I will look into it and I will certainly report back to the member.

Ms Churley: I think this is pretty outrageous. I just asked the minister a question about an alleged reported sexual assault of a 12-year-old girl in the boys' home which is funded by his ministry. Obviously, I'm not talking about the case today; it's going to be before the courts. I take it from his answer that he's not aware of the incident, which astounds me in itself. A 12-year-old girl was reportedly sexually assaulted in a supervised home funded by his ministry.

I would ask him today, what is he going to do, since he hasn't done anything yet and it's almost a week later, to make sure that this kind of thing doesn't happen again? Is he going to review the security systems within this home and others like it? What is going on in his ministry, that an incident as serious as this could take place and he doesn't know a thing about it?

Hon Mr Tsubouchi: I thank the honourable member for bringing this incident to my attention. I am concerned about the allegations that have been raised. There are certain rules and regulations that apply to group homes. I'll take that under advisement, to the honourable member, and I will get back.

COLLEGE OF TEACHERS

Mr Marcel Beaubien (Lambton): My question is for the Minister of Education and Training. Minister, over the years, we've had many studies and reports commissioned with regard to implementing a College of Teachers. In my constituency, many teachers have approached me in the past couple of weeks about this particular subject. They all seem to have concerns. I know the three parties in this House have supported the Royal Commission on Learning. How do you see the College of Teachers carrying on the functions that the Ontario Teachers' Federation provides now? Why should we have a College of Teachers?

Hon John Snobelen (Minister of Education and Training): Before I answer the question from the honourable member, I'd like to point out that the leader of the third party and the member for Algoma are quite correct that any statement on the testing program announced earlier today would be incomplete without an acknowledgement of the work and effort and championing for testing that's gone on by the member for Windsor-Riverside. I'd like to acknowledge his assistance in that regard.

In terms of the advantage we see in a College of Teachers, it's the same advantage the Hall-Dennis report found, the same advantage the royal commission found in its report of last year. It's an understanding that teaching is truly a public trust and that teachers are professionals and that they deserve and need a professional college so they can steer their own profession. That is the advantage.

Mr Beaubien: How indeed does the minister intend to address the concerns the teachers have with regard to controlling this particular college?

Hon Mr Snobelen: We'll be working closely with our education partners, including the OTF, to define the governing council of the College of Teachers. The governing council will have 31 members, and a majority of those members will be elected by the members of the college of teachers.

Mrs Sandra Papatello (Windsor-Sandwich): A point of order, Mr Speaker, please: I just wanted to clarify for the Minister of Community and Social Services—

The Speaker (Hon Allan K. McLean): No. Order. Will the member take her seat, please.

SOCIAL ASSISTANCE

Mr Dominic Agostino (Hamilton East): I have a question for the Minister of Community and Social Services. Minister, I want to bring up to you the case of Maureen, a single mother from Kitchener on welfare. Maureen, who has a five-year-old daughter, had her benefits cut by you by \$264.

Maureen gets up at 5 am to deliver newspapers to attempt to earn back your cuts. However, even though her cut was \$264, she can only earn \$230 before you start penalizing her. Clearly, she cannot earn back the cut, as promised by you and the Premier.

In a letter sent to one of my constituents from Premier Harris on November 14, the Premier says, "Even though we are cutting rates, current social assistance recipients who work will be allowed to earn back the difference between the old and the new rates." The Premier stated this in the House again last Friday.

Minister, the Premier is obviously under the false impression that you have changed your regulations, as you promised in this House on October 3. The Premier does not realize that people on welfare cannot earn back their cuts without penalty. As of today, the regulations have not been changed. Minister, you've been dragging your feet. These changes have not been made.

It's a simple question, and please spare us the lecture about previous governments' sins and answer the question: When will changes be made in the regulations, that you promised two months ago, that will allow welfare recipients to earn back the cuts without penalty? Can you also promise the House that you'll advise the Premier when you do make the change so he doesn't make the same mistake again?

Hon David H. Tsubouchi (Minister of Community and Social Services): First of all, the Premier is quite right. Second, as I have said in the House, we are going to be adjusting things. In fact, that is pending. As the honourable member can well appreciate, as he has pointed out to me, it's very important to make sure the regulations are done properly.

1440

Mr Agostino: I find it difficult to believe that a government that can move within weeks to make the most massive cuts in social service benefits in the history

of this province cannot in two months change a regulation that was promised by the minister in this House on October 3. As of today, a single mom or any welfare recipient working cannot earn back the cuts that you told them on October 3 they can earn back.

Minister, we have been advised by various officials within your ministry that it is very difficult to make this kind of change and that is why you have not made the change. Simply, you moved too quickly on the cuts. Within your system, it is almost impossible right now to keep your promise to allow people to earn back the cuts. The system cannot be changed the way you said on October 3 you were going to change it.

Will you admit to the House today that you cannot keep your promise and that welfare recipients cannot earn back the cuts without penalty? Failing that, can you give us a date when welfare recipients can start earning back the cuts as you promised a number of months ago? Will you keep the promise you made to them, and when will that happen?

Hon Mr Tsubouchi: It's really interesting to listen to the honourable member speak. I think somewhere in there he answered his own question and then he contradicted himself at the end. He said during the course of his question that it is a difficult process to do, and he's quite right. As a past chair of dealing with social assistance in Hamilton, he should certainly know that it's a very complex formula to put together.

As I said, this is pending almost immediately. I can't give him a specific date; however, I will tell him that this is considered quite important by me right now. As I said, he's answered his own question, because he says it's difficult to do, and it is, but we are going to do it.

CHILD CARE

Mr Bud Wildman (Algoma): I have a question for the Minister of Education and Training. Minister, this morning we spoke to a secondary school vice-principal in Toronto who told us about a 19-year-old single mother, who we'll call Judy. Judy has a two-year-old son who is in subsidized day care. Judy lived on the streets for two years. Now she's back in school taking grade 11 courses and hopes to go to university. She and her son live on general welfare. Judy is doing very well in school, but she's worried that if she loses her subsidized child care she'll have to leave school in order to take care of her son.

Minister, can you reassure Judy that she'll be able to finish her education and make a better life for herself and her son?

Hon John Snobelen (Minister of Education and Training): Of course I can't comment on an individual case. However, I can say that I'm pleased someone has returned to school and is upgrading her education. I'm also pleased to hear that there are people who are very concerned about the wellbeing of their families.

Mr Bud Wildman (Algoma): Minister, there are many Judys in this province. They're working and studying hard to get out of the welfare rut. I'm glad you're pleased about that, but I'd like you to answer why you and your government are removing the supports that

are helping these people to get ahead. Why are you punishing them for being poor? What are you going to do to guarantee child care so that mothers can continue to upgrade themselves and become productive and provide for themselves and their families?

Hon Mr Snobelen: Like the honourable member opposite, I too have talked to a number of people across the province who are working hard to lift themselves out of their current circumstances. One of the ways they're doing that is by accessing the education system in Ontario. I'm glad they are. I think that is part of the answer for people to lift themselves out of circumstances they don't like and would like to get on with life. I think it's wonderful that they do access our school system.

WORKERS' COMPENSATION BOARD

Mr Doug Galt (Northumberland): My question is for the minister responsible for the Workers' Compensation Board reforms. Minister, small business is the engine of economic growth in Ontario. This sector creates the necessary jobs which employ our students and promote the many tourist attractions in Ontario, which in many cases have only about four or five employees.

Owners of small and medium-sized businesses in my constituency are telling me that the WCB assessment rates are onerous, and given the financial situation at the WCB, they're concerned that this will affect their ability to maintain existing jobs with higher assessment rates. Indeed, I have a letter from one business in my riding which indicates that over the first five years of operation they had an assessment and paid in excess of \$50,000 while at the same time they only had claims of less than \$1,000.

Can the minister indicate to this important sector of the economy how the WCB assessment rate freeze has and will assist small businesses in Ontario?

Hon Cameron Jackson (Minister without Portfolio [Workers' Compensation Board]): Consideration of the actual assessment rate freeze was made clearly on the basis that we needed to stabilize these rate increases which are forecasted over the next few years. We think it is far better that we look at the administrative cost reductions at the Workers' Compensation Board immediately. This will allow for greater consultation with the small business sector, and I want to advise the House that the category that small business and tourism find themselves in is going to go up by 8%-plus on average. By bringing in the freeze, we have sent a signal to small business, and we're getting some very positive responses from that.

I want to just advise the House that right here in the city of Toronto, the Holiday Inn, for example, was anticipating a 5% net increase in their WCB premiums. They have reinvested all of that in workplace health and safety right in their own operation, and I think they're to be commended. That's the kind of direction we're encouraged to see small business is taking with the relief and the stabilization this government has brought.

Mr Galt: I believe the minister will be formalizing some consultation process to develop ways of getting the WCB under control. Can he indicate that the concerns of

the small business sector will be taken into consideration at that time?

Hon Mr Jackson: There is no question that this government, and indeed the province, look to small business to provide much of the new growth in jobs for the future of Ontario workers. We believe there is a clear link between the future role they will play and premiums in the Workers' Compensation Board to make sure that their competitiveness and their opportunities for job enhancement are extended.

That's why my colleague the Minister of Labour, with Bill 15, has brought an extremely important piece of legislation to this House as early as it has come to restructure the governance model, to bring financial responsibility back to the Workers' Compensation Board operations and, frankly, to go after fraud and those non-payers to the system, because we all hurt as a system for workers' compensation when those premiums are not paid properly.

I want to indicate that it's our government's commitment to consult and to bring balance back to the workers' compensation system in this province, and I'm pleased that there is going to be a prominent role for small business in that reform.

SERVICES EN FRANÇAIS

Mr Bernard Grandmaître (Ottawa East): My question is to the Minister responsible for francophone affairs.

Monsieur le Ministre, j'aimerais poursuivre votre discours prononcé devant un groupe de francophones tout récemment où vous auriez mentionné la possibilité de fermeture de collèges ou d'universités et même la privatisation de TFO/TFO. Je peux vous assurer que le Parti libéral de l'Ontario est tout à fait contre la privatisation de TFO.

J'aimerais vous poser une question ; j'espère que vous allez bien y penser. Quel sera votre rôle pour bloquer la privatisation de TFO ?

L'hon Noble A. Villeneuve (ministre de l'Agriculture, de l'Alimentation et des Affaires rurales, ministre délégué aux Affaires francophones): À mon collègue, la raison pour laquelle c'était mentionné, c'est que dans le discours du trône, puis je suis certain que mon collègue le député d'Ottawa-Est va s'en souvenir, c'était mentionné que TFO et TVO pourraient être privatisées.

Ce que j'ai à faire, c'est tout simplement, que TFO soit privatisée ou qu'elle demeure dans le domaine public, là où elle est dans le moment, c'est de garantir que les programmes éducatifs de TFO continuent, qu'elle soit privatisée ou, où elle est dans le moment, dans le domaine public.

1450

M. Grandmaître : Ça me surprend, parce que la réponse d'hier était tout à fait le contraire. Ma question était très simple : qu'est-ce que Noble Villeneuve, ministre délégué aux Affaires francophones, va faire pour empêcher la privatisation ?

Ma question supplémentaire s'adresse aussi au ministre délégué aux Affaires francophones. Depuis un certain temps il y a certaines rumeurs qui se propagent dans

l'Ontario français. On parle de possibilité de fermeture de l'Office des affaires francophones ; on parle de changer son mandat. Vous savez aussi bien que moi, Monsieur le Ministre, que durant les deux ou trois dernières années, l'Office des affaires francophones a subi des coupures radicales de 20 % et même de 40 %.

Alors, je vous pose la question aujourd'hui : est-ce que l'Office des affaires francophones va avoir le même mandat qu'il a aujourd'hui ou avez-vous l'intention de changer le mandat de l'Office des affaires francophones ?

L'hon M. Villeneuve : Je vous assure que l'Office des affaires francophones va continuer à desservir les francophones de la province de l'Ontario. Deuxièmement, l'Office va toujours demeurer en place pour rassurer notre francophonie que la Loi 8 est bel et bien mise en oeuvre, comme toujours.

YOUTH SERVICES

Mr Howard Hampton (Rainy River): My question is for the Minister of Community and Social Services. One of the victims of your government's cuts has been a centre known as the Choices Teen Centre in my home community of Fort Frances. Over the past few years, Choices has helped over 500 teenagers find jobs, get off drugs and alcohol and get back on the right path after getting in trouble with the law. Literally hundreds of parents in and around the community appeal to your ministry to continue funding for Choices Teen Centre, yet because of your government's cuts, Choices was closed in early October.

Minister, how do you justify closing a centre like that, that was doing so much good work, and how do you justify putting those kids back out on the street?

Hon David H. Tsubouchi (Minister of Community and Social Services): As the member well knows, I'm currently trying to find, through our committee of MPPs and, frankly, through any other sources—opposition members have brought some particular programs to my attention as well—programs that will fit into our workfare idea.

Frankly, I'm not denying there are many good programs out there, but we're also looking very closely in terms of the cost of the programs, what the cost is to get the individual back into the workforce if possible, and secondly, whether or not this particular program will be something that can fit regionally, urban, rural.

These are the programs we're looking at right now. We haven't made any decisions, but if the member is willing to give me some information on the program, we can speak to him about it.

Mr Hampton: This teen centre has nothing to do with workfare. It has a lot of do with offering young people who need a hand up that hand up, and it has a lot of do with helping those young people get back into the mainstream of society rather than ending up in young offenders' institutions which will cost the government close to \$100,000 a year.

This minister acknowledges the government is going to hand out a \$5-billion to \$6-billion tax cut to its wealthy friends but it has no money for something like this, the Choices Teen Centre, that does such good work.

I say to the minister again, how do you justify chopping such a good, such a productive, such a preventive program as Choices Teen Centre and throwing those kids back on the wrong track in society?

Hon Mr Tsubouchi: I'm quite interested in what the honourable member means by getting these kids back into the mainstream and talking about giving a hand up and not a handout. To me, that means we get people back into meaningful employment if we can, to give them a reason for doing this.

If the member had given me more details in terms of the particular program—perhaps we can look at it, but frankly there are many good programs out there. We don't deny there are many good programs, but we also have to look in terms of what our priorities are going to be in terms of providing opportunities for people but also acknowledging the fact that we have fiscal constraint targets because, frankly, of your government that preceded us.

CORRECTIONAL FACILITY EMPLOYEES

Mr R. Gary Stewart (Peterborough): My question is for the Solicitor General. Mr Minister, earlier this week the Liberal critic for your ministry complained very vigorously about a memo issued by your assistant deputy minister of Correctional Services which requested superintendents and area managers to report any information on pickets, demonstrators, job actions or legal strikes. Minister, since the Liberal member was so terribly, terribly concerned, and indeed I believe upset, it is most prudent, and I ask emphatically, do you have additional information to alleviate these concerns?

Hon Bob Runciman (Solicitor General and Minister of Correctional Services): Coincidentally, I do have some additional information. Our research indicates that the procedure outlined in the memo to record union activity was developed by the government of the day in 1989. That's right, 1989. I ask you, do you remember who formed the government in 1989? If you suggest that it was the Liberal Party, you're absolutely correct.

When the member was so considerably agitated about this issue in terms of getting an answer, all he had to do was look about four seats down the row from where he sits. The member for Ottawa Centre, who's currently occupying that seat, was the then Minister of Correctional Services.

The Speaker (Hon Allan K. McLean): Supplementary?

Mr Stewart: Possibly no supplementary may be necessary, but because of the honour of this House I'm wondering—and I believe the question has been answered completely—but I do wonder if the minister deserves an apology for what has happened.

Hon Mr Runciman: Absolutely, without any doubt, but I won't hold my breath.

1500

AIR QUALITY

Mr Dalton McGuinty (Ottawa South): My question is for the Minister of Environment and Energy. Minister, you will know that yesterday an important report was delivered to you by the Ontario Round Table on Environ-

ment and Economy. The report was delivered by the round table in its death throes because, as you know, you're not permitting it to continue its good work.

The report deals with the impact of vehicle emissions on our environment, and it makes a number of recommendations to you which, if enacted, would dramatically reduce smog caused by fossil fuel emissions. Significantly, the report is endorsed by environmentalists, business and labour, all of whom recognize the problems caused by vehicle exhaust and the need to address these problems. Pollution Probe, General Motors and the Canadian Auto Workers are just some of the parties that collaborated in the preparation of the report.

Can the minister tell members of this House what specific recommendations from the report she will be implementing and when?

Hon Brenda Elliott (Minister of Environment and Energy): I was very pleased to receive that report, which I tabled in the House yesterday. We are committed to working in partnership with a number of jurisdictions across Canada to stabilize greenhouse emissions, as the member opposite knows, and indeed studies such as this one will be very helpful to us. There are a number of opportunities for mitigating Canada's climate and I recently returned from a ministers' conference where ministers, both provincial and federal, were working together to begin to address and to carry on some of the initiatives that have already been begun.

With regard to the specific recommendations in that report, since we have just received it yesterday, my ministry has already begun to review it but we are not able at this point to comment on issues further with regard to those recommendations.

Mr McGuinty: I hear the minister, but I'm not at all convinced that she truly understands the urgency of the problem before us. A study of 168 Ontario hospitals between 1983 and 1988 showed that 6% of all hospital admissions were smog-related. Another study has shown that by the year 2020, pollution-related illness will cost Canada's health care system more than \$10 billion.

Minister, there are currently 6.5 million vehicles registered in the province of Ontario. So far, only 10,000 have gone through the province's voluntary emissions testing pilot project, and of those vehicles owned by private citizens, 23% did not pass the vehicle emission test.

I say to you, Madam Minister, that we are clearly not doing enough to attack the problem of motor vehicle emissions in our province. The problem's harming our health, it's hurting our environment and it's costing us money.

So I ask the minister to tell me how long Ontarians will have to wait before we will see improvement in our air quality because of steps she has taken. Minister, when do we get to breathe cleaner air?

Hon Mrs Elliott: Clearly, this government is very much aware of the fact that this is a serious issue for all of us. Breathing polluted air is not what anyone wants in this province, or anyone else for that matter.

We have already begun a number of initiatives. Recently, we have begun to work with the federal government

and other ministers across Canada to bring in low-emission vehicles, which will address the problem directly, and to work on new fuel formulations as well, which will reduce emissions enormously. We already have regulations in place under the Energy Efficiency Act to reduce greenhouse emissions. There are changes to the building code ongoing, and we have a number of remarkable achievements by Ontario Hydro that have reduced its emissions enormously.

CHILDREN'S AID SOCIETIES

Mr David S. Cooke (Windsor-Riverside): I have a question to the Minister of Community and Social Services. He's indicated in the House several times when I've asked questions about funding of the children's aid societies in this province that there will be a new definition of "core services" and that there will be a move to fund core services only.

I'd like to ask the minister if he can tell us, give us some examples here in the House, of what a core service is and what a non-core service is; in other words, a service that he thinks the children's aid society should not be doing and will not be funded for.

Hon David H. Tsubouchi (Minister of Community and Social Services): The last time the honourable member asked the question—I think it was last week—I indicated at the time that one of the reasons why I've met with groups such as the Ontario children's aid societies is to ask them, along with a number of other organizations that are dedicated to the protection of children, to assist us in defining what those core services are. I think, quite frankly, that we should be going to the community to find out what they define as the services they truly need, and not necessarily a definition of something coming from myself alone.

Mr Cooke: I can certainly understand that to get to the point where there's an absolute definition, the minister would want to consult, and I hope he would want to consult beyond just the children's aid societies. There are many other people who are involved.

But in order to get into this exercise, he must have a view of some services that the children's aid societies are providing in this province that he believes are not essential to the functioning of the children's aid societies, or you wouldn't be involved in a review and you wouldn't say in the House that you're only going to be funding core services.

I think it would be appropriate for the minister, so that we can better understand what this exercise is all about, and since we went through about a 20-year process whereby we no longer just funded protection services for children's aid societies but saw their role as being one of protection as well as prevention, to give us an example of a service that you think a children's aid society does now that is not essential to the wellbeing of children in this province.

Hon Mr Tsubouchi: I believe the honourable member is sort of pushing the direction into someplace I don't quite understand where he's going to. But if we want to look at a truly consultative process, that means we have to enter into real and meaningful discussions with these

organizations in order to provide ourselves with that framework and that definition of "core services."

It's not just the Ontario Association of Children's Aid Societies but it's also the Ontario Association of Children's Mental Health Centres, the Ontario Association of Children's and Youth Institutions, the Ontario Contract Custody Observation and Detention Homes Association and the Ontario Association of Residences Treating Youth. This is to give us a wide and meaningful look at what core services should be in the area of children's protection.

USE OF QUESTION PERIOD

Mr Tony Silipo (Dovercourt): On a point of order, Mr Speaker: I want to rise on a point of order arising out of the exchange that took place a little while ago between the Solicitor General and the member for Peterborough. I know there was some levity around that and I think that's something we certainly all can use from time to time, but I think there is both a serious point of order and a serious question of privilege that I want to bring to your attention and ask you to consider and to rule on at your leisure.

I believe the rules are clear in indicating that, when ministers have additional information to provide to the House on the basis of questions that have been asked in this House, they have, in effect, two routes that they can follow. One is to stand up when it's a government member's turn in the rotation and to provide that information to the House. That gives the opportunity to the member who initially posed the question—in this case I believe it was a member of the Liberal caucus—to pose an additional question. The rules are quite clear. The second alternative a minister has is to make a minister's statement, in which case also there's an opportunity for the opposition to respond.

I think it is stretching the rules of this House, to say the least, for a minister to provide that additional information by vehicle of a question from a government backbencher. I think that's a serious issue that I would ask you to take a look at, because, Mr Speaker, if you allow that to happen, not only is it a breach of the rules of this House but it is indeed a breach of the privileges that opposition members have in this House.

The Speaker (Hon Allan K. McLean): I will review your point of order.

Mr David S. Cooke (Windsor-Riverside): Mr Speaker, just a small point in addition: I think it's very clear in the standing orders that the Speaker has the right to indicate that a particular question is not of urgent public business. The first question you can take a look at and should take a look at. The supplementary question asking whether there should be an apology was a frivolous question and I think, Mr Speaker, you should have ruled it out of order under the standing orders.

The Speaker: Routine motions.

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): First of all, I'd like to seek consent to read the business sheet for next week, please.

Mr Gilles Pouliot (Lake Nipigon): Skip Wednesday.

Hon Mr Eves: No, I'm not going to skip Wednesday, but thanks for the advice from the member for Lake Nipigon. It is taken in stride.

BUSINESS OF THE HOUSE

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): Pursuant to standing order 55, I wish to indicate the business of the House for the week of November 27, 1995.

On Monday we will continue with second reading of Bill 19, An Act to repeal the Advocacy Act, 1992, revise the Consent to Treatment Act, 1992, amend the Substitute Decisions Act, 1992 and amend other Acts in respect of related matters.

Tuesday, November 28, will be an opposition day standing in the name of the member for Downsview.

As I indicated last week, in my capacity as Minister of Finance, I will be making an economic statement on Wednesday, November 29, at 4 pm. There is agreement to adjourn the House immediately after routine proceedings on that date until 4 pm for the economic statement and to adjourn immediately following the statement.

On Thursday, November 30, there will be debate on the economic statement in the form of responses to it from the two opposition parties, and we will adjourn after that is completed, if it's before 6 pm, and it may not be.

For Thursday morning's private members' business we will consider ballot item number 9, standing in the name of the member for Cochrane South, and ballot item number 10, standing in the name of the member for Oakville South.

The Speaker (Hon Allan K. McLean): Any routine motions?

Hon Mr Eves: None of these are routine, Mr Speaker, unfortunately. I would like to have consent of the chamber for some business relating to the standing committee on government agencies.

The Speaker: Agreed? Agreed.

1510

MOTIONS

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): I move that the standing committee on government agencies be authorized to consider the appointments of Patricia Deguire to the Ontario Board of Parole; Evelyn Dodds to the Social Assistance Review Board; and David Nash to the Ontario Casino Corp; and that the committee shall review and report on these appointments following the procedure for reviewing and reporting on intended appointments as provided for in standing order 106(g).

It's necessary to make this motion because these are appointments that have already been made, and notwithstanding the standing order, we are asking that these appointments go through the same review procedure as others.

The Speaker (Hon Allan K. McLean): Shall the motion carry? Carried.

Further routine motions?

Hon Mr Eves: One last motion, Mr Speaker, if you will. This requires unanimous consent as well, and it is my understanding that there will be a brief discussion or debate surrounding this motion from the three House leaders or their representatives.

The Speaker: Do we have unanimous consent for it to proceed? Agreed.

HOUSE SITTINGS

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): I move that notwithstanding standing order 9, the House shall continue to meet from 6 pm till 12 midnight on December 4, 5, 6, 7, 11, 12, 13 and 14, 1995, at which time the Speaker shall adjourn the House without motion until the next sessional day.

Just very briefly, of course this is the traditional motion, but that might impinge some motives on the festive season. I don't know if it'll be too festive around here next week, but it is traditional that during the last sessional days of both December and June, according to the parliamentary calendar, this motion is moved to extend the sitting hours until midnight to allow business to be cleared up before the end of that particular session.

This is a normal motion. I am pleased to say that at the House leaders' meeting this morning all three parties and all three House leaders concurred that this motion could be dealt with rather expeditiously today, and I do appreciate that cooperation from the other two House leaders.

Later today, as you will see—we'll be dealing with it in a few moments—we'll be moving on to the continued debate and concluding the debate on the interim supply motion.

I really don't have any further comments to add at this time, and I would like to thank the other two House leaders for their cooperation.

Mrs Elinor Caplan (Oriole): On behalf of our House leader and our party, we will be supporting this motion. However, while the government House leader says that this is a traditional motion, there have been times in the past, and particularly in the past 10 years that I've been in this House, when it has been necessary for parliamentary agenda reasons to extend the sitting hours to allow for full and thoughtful debate of important public policy issues. Our caucus has always been willing to stay here and do the work necessary, and it is in that spirit that we will be supporting this motion.

However, I would point out to the government House leader and to everyone watching this debate that the Harris government did not return to the Legislature on the calendar date, as one would expect, in September. Further, there was an expectation of members of our caucus that we would be sitting in the summer to be dealing with the matters of public business—

Mr David S. Cooke (Windsor-Riverside): That's what Mike said.

Mrs Caplan: That was what he said during the campaign. We expected to do that. We were prepared to be here to work, because we believe that many of the items contained in the revolutionary document promulgated through the election campaign deserve public scrutiny,

public debate, public hearing and exposure so that people fully understand the agenda of this government.

Today is November 23, and we were informed that there are pieces of legislation that the government House leader will be tabling that have not already been tabled. I want to put on the record our concern that any pieces of legislation which are tabled from this point forward have the full debate and scrutiny and public hearing that the public deserves. I will say to him that our caucus is ready and willing to stay here to hold public hearings across the province to make sure that those issues are thoroughly and properly debated.

Having said that, I would also point out that all of the legislation should have already been tabled. There is no reason why on November 23, with an expectation that the House calendar would adjourn this session on December 14—it is unreasonable, in my view, for us to be told by the government that it expects legislation to be tabled and passed before the end of this session. I have real concerns about that. I have expressed them to the government House leader and I just want to put them on the record.

We will, however, be supporting this motion for late night sittings to ensure that the business is done and that the public is aware of the work of this House.

Mr Cooke: Very briefly, we also will be supporting the motion as part of an agreement on how the advocacy legislation is going to be dealt with and the four weeks of hearings on the advocacy legislation, three weeks of which will be public hearings, one week clause-by-clause, and that this will take place either concurrently with the House in February and March or during the break.

I want to indicate that I agree with the thrust of the approach that the spokesperson for the Liberal Party was taking; that is, that we know there is going to be major legislation coming forward next Wednesday as part of the budget and that this major piece of legislation, in our view, is going to require extensive debate in this Legislature and that it will have so many major ramifications for the province that it is our belief there should be public hearings for that legislation before it gets third reading.

I am indicating on behalf of our caucus to the members of the government now that it is our intention to do everything we can to make sure that legislation has that public debate here and public hearings in a standing committee of the Legislature. We fully expect that the ramifications coming out of next week's budget are going to be significant enough that we should not be adjourning on the 14th, we should not be adjourning on December 21, but that this place should be in session all of January and all of February in order to deal with those financial implications, social implications on the province.

Therefore, it is our intention to see that the House is in session in January and February. We'll support this motion to deal with other business before the House, but I think everyone should understand that the budget will be of significance to this province, and big enough significance that we should be in session in January and February.

The Speaker (Hon Allan K. McLean): All those in favour of Mr Eves's motion, say "aye."

The motion is carried.

VISITORS

The Speaker (Hon Allan K. McLean): We have some guests in the west gallery. One slipped away on us—Christel Haeck was there from Niagara—and we still have Noel Duignan, the previous member for the riding of Halton North. Welcome.

HOUSE SITTINGS

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): On a point of order, Mr Speaker: It is a small point, but I think it's one I should make in response to the comments made by the member for Oriole. I believe she indicated at the outset of her comments that the government did not come back in accordance with the parliamentary calendar. She'll be quite aware of the fact that we did indeed come back one day late because of Rosh Hashanah. I presume that the member for Oriole is not complaining that we came back one day late because of that holiday.

Mrs Elinor Caplan (Oriole): On the same point of order, Mr Speaker: In fact, what I intended to say was that we came back in accordance with the parliamentary calendar instead of coming back in the summer, as had been the election expectation. Not only was I pleased that we did not sit on the first day of Rosh Hashanah, but I was distressed that in fact we did sit on the second day and I was unable to be here and participate for the opening of the Legislature. But I will correct my record. My intention was to say that you adhered to the calendar and did not live up to your expectation commitment.

1520

PETITIONS

CHILD CARE

Mr Tony Ruprecht (Parkdale): I keep getting petitions on the issue of our crisis in child care. This reads:

"Whereas the Ontario government has decided to replace our current child care system with one that lacks compassion and common sense and is fraught with many dangerous consequences; and

"Whereas the concept of affordable, accessible and quality child care is a basic important fundamental right for many members of our community who are either unemployed and enrolled into a training program, or are working single parents, or where both parents are working; and

"Whereas if our present provincial government is sincere in getting people back to work, they should recognize the value of the child care component of the Jobs Ontario program and acknowledge the validity of the wage subsidy to the child care workers;

"We, the undersigned residents, business owners and child care workers of our Parkdale and High Park communities, urge the Progressive Conservative government of Ontario to immediately suspend their plans to implement cuts to our present child care programs across our province and restore funding to their previous levels."

I've signed my name to the document.

Mr Bud Wildman (Algoma): I have a petition addressed to the Legislative Assembly. It is from 50 residents of Wawa. They are expressing concerns over the

impact of spending cuts on child care in Ontario. It points out that studies have shown that quality early childhood education is the most important determinant of future development and success for children, and every dollar invested in the quality education of our children saves over \$7 in correctional costs.

I support this petition and I've affixed my name thereto.

CARDINAL NEWMAN
CATHOLIC SECONDARY SCHOOL

Mr Ed Doyle (Wentworth East): I'd like to present a petition on behalf of the students, parents, teachers and members of the Hamilton-Wentworth Roman Catholic Separate School Board in Stoney Creek supporting the construction of a new Cardinal Newman Catholic Secondary School. It reads as follows:

"Whereas the Catholic ratepayers of Wentworth East and Hamilton East have been concerned for many years about appropriate Catholic secondary school accommodation in Stoney Creek, and given past government commitments to funding of a new Catholic secondary school ready for occupancy by 1998;

"We, the undersigned ratepayers, hereby petition the government of Ontario to ensure the previously committed funds are provided to Hamilton-Wentworth Roman Catholic Separate School Board so that a new Catholic secondary school can be built to address the long-standing concerns of overcrowding and program needs as Catholic students in Stoney Creek are educated to deal with the demands of the 21st century."

Sir, I have signed this petition as well.

HOSPITAL RESTRUCTURING

Mr Mike Colle (Oakwood): I have a petition from Northwestern General Hospital. These are people who live in the area of Whitmore Avenue in my riding.

"To the Legislative Assembly of Ontario:

"Whereas the Metropolitan Toronto District Health Council hospital restructuring committee has recommended to close Northwestern General Hospital and merge all programs with Humber Memorial Hospital;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the recommendation of the Metropolitan Toronto District Health Council to close Northwestern General Hospital be rejected"—again, rejected—"by the government of Ontario and that it keep Northwestern General Hospital open forever."

JUNIOR KINDERGARTEN

Mr Tony Silipo (Dovercourt): Mr Speaker, I have a petition which is actually three different petitions but the same issue, and with your indulgence I'll just read them once. They are a petition from the community of Stella Maris Public School on Ascot Avenue in the riding of Dovercourt.

"We have a serious concern regarding the elimination of funding for junior kindergarten programs. The educational benefits of junior kindergarten programs have been acknowledged by governments in Ontario for decades.

"Effectively, four-year-olds who attend junior kindergarten experience rapid and critical growth in both mathematical and language skills. These skills provide a secure foundation for literacy, computational knowledge, work habits and study approaches. Also, for those students who are new Canadians but who do not speak English at home, junior kindergarten facilitates their learning of the English language. These results are immediate and ongoing.

"Therefore, it is our belief that short-term gain will not be worth the long-term pain. Funding will be the factor that will directly affect the educational development of our children.

"We, the undersigned, urge support for the appropriate provincial funding to ensure the future of our children in our province."

There is one petition from parents in the school. There is also a version in Portuguese, which I know under the rules I'm not allowed to read in that language, but I wanted to indicate that as well, Mr Speaker, and there is a third one by teachers, all of which total about 350 signatures. I've affixed my name to it.

CHILD CARE

Ms Annamarie Castrilli (Downsview): I have a petition signed by 475 of my constituents in Downsview and it reads as follows:

"Whereas high-quality child care contributes significantly to the healthy development of all children;

"Whereas research has proven that good wages and working conditions for early childhood educators are a key factor in high-quality child care;

"Whereas the best way to ensure a superior system is through public funding so that all children can access affordable, high-quality, non-profit child care; and

"Whereas recent cuts to child care are destabilizing the entire child care system in Ontario;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That all public funding be restored for child care, including subsidies, capital funds, operating grants and all-day junior kindergarten pilot programs;

"That all existing commitments regarding wage subsidies, pay equity grants and any other funding programs and/or policies that help to stabilize high-quality child care for children in the province of Ontario be retained; and

"That public hearings be held as part of the child care services review process."

I have attached my signature.

SERVICES FOR ABUSED WOMEN

Mrs Marion Boyd (London Centre): I have a petition to the Legislative Assembly of Ontario.

"Whereas recent cuts to programs for abused women and their children seriously endanger their lives and will be costly in both financial and human terms, we are committed to the preservation of services to abused women and their children in Ontario. We are particularly aware that our community of London has developed a respected and successful integrated model of service delivery aimed at ending woman abuse.

"We, the undersigned, petition the Legislative Assembly of Ontario to preserve the existing services used in London to end woman abuse, and we therefore demand that the cuts to services for abused women and their children in London be immediately restored and that no further cuts in funding be implemented."

This petition is signed by 193 citizens of London, and I am proud to affix my signature.

AMALGAMATION OF SCHOOL BOARDS

Mr Frank Miclash (Kenora): My petitions reads:

"To the Legislative Assembly of Ontario:

"Whereas the interim report of the Ontario School Board Reduction Task Force recommends the amalgamation of the Kenora Board of Education with the Dryden Board of Education and the Red Lake Board of Education; and

"Whereas the amalgamation of school boards in northwestern Ontario is not practical for operational and financial reasons because of the large distances between communities;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To ensure the continuation of the present number of school boards in northwestern Ontario, except where local boards and their communities, having evaluated the cost and benefits of amalgamation, request an amalgamation of their respective boards."

I've attached my name to that petition as well.

HIGHWAY SAFETY

Mr Frank Miclash (Kenora): I have a petition to the Legislative Assembly of Ontario and it reads:

"Whereas the Minister of Transportation is intent on reducing northern winter road maintenance services; and

"Whereas such downgrading places the lives of northern residents at undue and unnecessary risk;

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow these reductions in service and to guarantee that winter roads across the northern regions of the province receive the necessary maintenance to ensure the safe passage of drivers."

I've attached my name to that petition as well.

1530

REPORTS BY COMMITTEES

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Mr Smith from the standing committee on regulations and private bills presented the following report and moved its adoption:

Your committee begs to report the following bill as amended:

Bill Pr14, An Act respecting the City of Nepean.

Your committee begs to report the following bills without amendment:

Bill Pr13, An Act respecting the City of Nepean

Bill Pr37, An Act respecting the City of Mississauga.

The Speaker (Hon Allan K. McLean): Shall the report be received and adopted? Agreed.

INTRODUCTION OF BILLS

VICTIMS' BILL OF RIGHTS, 1995

CHARTRE DE 1995 DES DROITS DES VICTIMES D'ACTES CRIMINELS

Mr Harnick moved first reading of the following bill:

Bill 23, An Act respecting Victims of Crime / Projet de loi 23, Loi concernant les victimes d'actes criminels.

The Speaker (Hon Allan K. McLean): Is it the pleasure of the House that the motion carry? Carried.

CITY OF YORK ACT, 1995

Mr Colle moved first reading of the following bill:

Bill Pr44, An Act respecting the City of York.

The Speaker (Hon Allan K. McLean): Is it the pleasure of the House that the motion carry? Carried.

ENVIRONMENTAL PROTECTION STATUTE LAW AMENDMENT ACT, 1995

LOI DE 1995 MODIFIANT DES LOIS SUR LA PROTECTION DE L'ENVIRONNEMENT

Mr Wildman moved first reading of the following bill:

Bill 24, An Act to amend the Environmental Protection Act, the Ontario Water Resources Act and the Pesticides Act / Projet de loi 24, Loi modifiant la Loi sur la protection de l'environnement, la Loi sur les ressources en eau de l'Ontario et la Loi sur les pesticides.

The Speaker (Hon Allan K. McLean): Is it the pleasure of the House that the motion carry? Carried.

Mr Bud Wildman (Algoma): This bill will enable the Ministry of Environment and Energy to crack down on offenders who continue to ignore Ontario's environmental protection laws, especially those who dump waste illegally across the province. The bill will give the ministry the tools to combat the illegal practices of the fast-buck artists who continue to dump on other people's properties and treat current fines simply as a cost of doing business.

The bill amends the Environmental Protection Act, the Ontario Water Resources Act and the Pesticides Act to combat the illegal depositing of waste. There are specific amendments to the EPA, and all three statutes are amended to facilitate enforcement and increase penalties. Provisions of the EPA to deal with the depositing of waste and other provisions for waste removal are broadened, and the power to make restitution orders is added. Provisions that allow the seizure and suspension or detention of vehicle permits and plates are expanded.

All three statutes are amended to allow provincial officers to make enforcement orders and to seize vehicles and other things used in the commission of offences, to allow the courts to order the forfeiture of vehicles or other things used in the commission of offences, to facilitate the service of summonses against corporations under the Provincial Offences Act, to prohibit the keeping of false records and the refusal to furnish required information, and to increase penalties for certain offences under all three pieces of legislation.

NOTICE OF DISSATISFACTION

The Speaker (Hon Allan K. McLean): Pursuant to standing order 34(a), the member for Fort William has given notice of her dissatisfaction with the answer to her question given by the Minister of Community and Social

Services concerning cuts to family counselling agencies. This matter will be debated today at 6 pm.

ORDERS OF THE DAY

INTERIM SUPPLY

Resuming the adjourned debate on the motion for interim supply for the period commencing December 1, 1995, and ending April 30, 1996.

The Speaker (Hon Allan K. McLean): It's my understanding that when we finished, Mr Gilchrist had finished, and we're looking for comments and questions. Seeing none, further debate?

Mr Mike Colle (Oakwood): If I could address this House on interim supply, I know the minister has had quite a challenging time since coming into his portfolio, and no doubt next week the challenges will even be more articulated, I think.

Some concern that my constituents have and that I have in terms of the direction this government is going is basically the concept that cuts create employment. I heard someone stand up today and say, "The welfare general assistance has been cut, and all of a sudden they found work."

The sense I get in talking to people face to face is that despite all the cutting that's taking place, very little employment has been created in the last four or five months. What I sense is quite an anxiety among ordinary people. People are looking over their shoulder. They're afraid of losing their job, either in the private sector or in the public sector. They don't seem to have the confidence to go out and buy an extra pair of shoes. They certainly don't have the confidence to get into a mortgage, to buy a home. They essentially are saying that they're not sure what the future holds, even if they have a job.

The essential thing to remember, as we appropriate funds for different departments and look at the different ministries, is that we have to go beyond just arbitrary cuts for cuts' sake, that there have to be initiatives that enable people to have a bit more confidence in the marketplace, and that confidence will translate into jobs.

What I see happening is almost an implosion taking place. I talk to my small merchants along Eglinton, along St Clair, and they notice that people are buying less this year than they were last year, that they're not buying as many groceries. The barbers you talk to—and I think they're a good barometer of what's happening to real people—tell me that even the number of haircuts people are getting has been reduced because people don't have even that kind of disposable income, never mind the disposable income to buy and invest in a home.

Somehow the initiatives this government is taking have to acknowledge the fact that all the cutting in the world won't do anything to create meaningful employment and consumer confidence, and there has to be a series of initiatives which will do that. No matter how much of a tax break you get, if these tax breaks do not produce jobs, all these promises of glory days because of tax breaks will mean nothing.

That is what we should start asking the members opposite to start asking their ministers: Are there any initiatives to create jobs that will employ people so people

will go out and buy from local merchants and invest in the future and have confidence that things are going to get better? I don't see any growth in confidence.

The only place I see a growing confidence is among our major banks. In the next weeks, the banks will be issuing their year-end statements, and you'll see tremendous growth in profits, no doubt. The banks are doing better than they've ever done. Last year, the Royal Bank had a profit of a billion dollars, yet the Royal Bank laid off I don't know how many thousands of people.

That trend of increasing corporate profits, among the big corporations especially, and the elimination of human beings, of people in their workplace, is a very alarming trend. What good are all these profits among the few when they're not employing people and giving people an opportunity to make a living and buy homes and buy cars or buy clothing? It doesn't really end up with an improved economic situation.

1540

We see the banks are still charging—what?—18% to 20% on their credit cards when interest rates are at 7% or 8%. Why do we still accept this type of attitude from our banks in Canada, which are, as you know, some of the well-to-do banks in the world. They rank with the wealthiest, most powerful banks in the world.

This government hasn't taken steps to send a message to whatever it is, banks or big corporations, that they have an obligation not only to their shareholders but to the public out there who are, by and large, looking for employment. They want to work. The vast majority of people would work at any job, at any wage, if that opportunity were there, and these jobs are not coming forward.

In the last number of months, we haven't seen an increase in job opportunities. The improvement in the economy is very sector-specific. If you happen to be lucky enough to export auto parts to the United States, as a result of the lower Canadian dollar you may be fortunate enough to see increased profits in that specific sector, but overall there is very little recovery or growth across all the sectors.

The stock market is doing very well on Wall Street, the stock market seems to be doing very well on Bay Street, but people on Main Street in Toronto or in Sudbury or in Wawa or Manitouwadge, they still see a lingering recession that does not seem to be ending.

It is critical to acknowledge that the pattern of cuts for cuts' sake is not creating any turnaround. If you talk to small grocery stores, for instance, they will tell you that in certain areas of cities where there are people on social assistance, they used to make their living for that month during the first week when the social assistance cheques were cashed. These are people who bought potatoes, corn, rice. They will tell you now in the small stores, even the discount stores and discount clothing stores, that now in the first week of the month they are losing that little bit of margin they were taking in as a result of people on social assistance.

Subsequently, what's happening is that people in the small stores on Main Street in Ontario are having to lay off people. I know a case at Dufferin and St Clair where

a discount clothing store used to employ five people. When the social assistance cheques were cut by 22% October 1, they noticed a dramatic dropoff in people buying discount clothing, so now it's back to the husband and wife alone working in that store.

As much as I know the party opposite detests giving money to people on social assistance and how they're patting themselves on the back for making those cuts, I say to you that many of those people on social assistance were spending that money on Main Street and they were spending it on groceries, on clothing, and that money was creating economic activity, believe it or not.

Your approach is, "We'll take money away from social assistance recipients and we're going to give it back to people in a tax cut." Who is the purest contributor, you might say, to the local economy? Many of the people in the upper income brackets will not be spending their money on Main Street. A lot of those people will use that tax cut for a variety of different activities. Some will be for buying shoes, but some of them will go to the Cayman Islands, some may go offshore on vacation, some of them will buy that Mercedes instead of buying that Chevy because they got the tax cut. Those people on social assistance, for the most part, were buying potatoes and rice and shoes for their children.

If you really wanted to create jobs, who is going to create more jobs: the people working in government services or in, let's say, the small mom-and-pop stores and who are spending money on Main Street, or is there some multiplier effect that takes place when a wealthy person gets his or her \$5,000 to \$10,000 and spends that money in the Cayman Islands or Bermuda? I still don't see why they have a greater multiplier effect on the economic well-being or vitality of Ontario than the ordinary people at the bottom, who are at least spending the money locally.

It wasn't that they wanted government assistance out of choice, because the reality is that over the last six or seven years we've gone through a major transformation of the North American-Ontario economy. I know it's easy to scapegoat and say, "You're on general welfare or you're in a government job because you're lazy" etc. These people, for the most part, are victims of a worldwide transformation in the economy. They didn't choose to be born and work—or try to work—at this point in time. They've been victimized by the changes and transition, so to say to them, "You don't have a job because you don't want to work" is simplistic and it is by no means fair to people who, for the most part, that we in my area run into, want an opportunity to work.

What is happening is that in many cases they can't work because the company they worked for is now gone to the United States and they're shipping the product back here because they can get somebody in Mississippi to work for six bucks an hour or, in some cases, where Bell or the bank they work for is saying, "Sorry, if we cut down the number of our employees, it will help us increase profits." That is the trend that is displacing a lot of people, and I haven't seen anything yet that addresses that problem of human displacement.

One of the astonishing things I saw when I first came here is that the government had cut back on road main-

ance, sanding, salting, but I asked the ministry, as I'm the critic for Transportation, "We hear these reports from people in the field that you've cut back on winter maintenance, but in the cuts you've announced, in July and now some more in October, we don't see any mention of that in your statements, in your estimates."

I've had some experience at local council, Metro council, and I said, "Usually, at local council, if there was going to be a cutback in something like winter maintenance, it would be a line item and we could see that the commissioner was recommending a cut." There was no mention whatsoever of this cut of \$6 million to \$7 million in winter maintenance in any of the documentation from the ministry.

I use this example because I think it demonstrates that sometimes there isn't accountability and the ability to question some of these cuts. They make them arbitrarily without any ability to have input and say: "Maybe this cut is the wrong one. Maybe this cut is shortsighted, because if you cut back on winter road maintenance, you're going to increase people's time to get to work, which is an expense; you're going to increase traffic accidents, which is another added expense and cost; and possibly you might be putting people out of work if you make this cut, never mind the safety factor."

Yet that ministry made that cut secretly, without not even a line-item reference to it, so all of a sudden we find out indirectly they have cut this program. It really made no sense. It didn't make any economic sense because it slowed down traffic all over Ontario—in a storm it will do that—not to mention the fact that there are going to be more accidents etc. It's shocking to me, and that's one little example, that you could make a cut without looking at the ramifications or without that cut being up front and accountable.

1550

I hope that as you go on cutting, which you no doubt will do, you'll give members opposite, and the public, an opportunity to scrutinize the cuts to see if they really make any sense, if these cuts are really contributing to the economic wellbeing of this province. What I see is that there is a great attempt at secrecy and ensuring that nobody finds out what's going to be on the hit list, and the details and the impacts are always found out, you might say, down the road.

This approach is a very regressive approach. It's old-style politics. You claim to have this new approach that is open to scrutiny. If you have a cut to make and a dramatic change to make in a ministry, you should put it up front and have it open for public scrutiny and debate.

You are making a lot of changes, and I know the changes you're making are based on the voodoo economics of Ronald Reagan and his approach: supply-side, trickle-down stuff. That did not work. How you think the trickle-down, supply-side economics of Reagan is going to work now in an economy that's in major transition—I mean, the challenges Reagan had were nursery school challenges compared to the challenges the North American economy has now.

How this government can rely on practices and economics that have been proven to be at best questionable is

something you should start to ask yourself, because there happens to be a very good case study for you to look at. Look at the example of Reagan and what he went through and the promises he made—the Reagan revolution, they called it. These guys are calling it the Common Sense Revolution. There are so many similarities there, all the rhetoric, all the PR, yet when you look beyond the PR and the rhetoric, all you got was a tripling of the debt in the United States, or even more. It just went completely out of control because they did not look beyond the ideology of their economic viewpoint. They were in this straitjacket which did not allow them to look laterally at other solutions and other approaches.

This government is so intent on this economic straitjacket of supply-side economics, of trickle-down economics, that it's going to make some major mistakes. The major mistake is that they're going to destroy consumer confidence, because the consumer is still not buying, the consumer is not working, because Reaganomics and this revolutionary "Common Sense" economics do not create jobs. All it creates is a lot of rhetoric and simplistic adages that if we cut back on all the NDP programs, this magic solution is going to appear because they got rid of the NDP programs.

Just because you get rid of the NDP approach doesn't mean you're going to create anything. As someone once said, it takes just one jackass to kick down a barn, but it takes many good men and women to build one. So far all you've done is kick down things and you haven't built anything.

I'll give you an example. In my riding over the last number of years, we worked to build a subway for the future of that middle part of Metropolitan Toronto.

Mr David Tilson (Dufferin-Peel): How were you going to pay for it?

Mr Colle: The same way you're going to pay for the Sheppard subway. How are you going to pay for Highway 407?

Mr Tilson: Where were you going to get the money from? There is no more money.

Mr Bud Wildman (Algoma): Where are you going to get the money for the tax cut? The tax cut is going to be borrowed money.

Mr Colle: That's a good lead-in, because somehow they're going to borrow \$5-billion to give to people who don't need the break. Where are you getting that money? I say it's better to spend that money on building subways, on keeping hospitals open and not in giving a tax cut to those who don't need that tax cut. You can just as easily spend the \$5 billion that you're going to use for that tax cut on keeping hospitals open or building subways.

One thing I'll guarantee is that if you've got hospitals open and people are working on subways, they pay taxes. That tax they pay because they work ends up going back into government coffers, so the government can therefore pay its bills. But if those people aren't working on subways, if they're not working in hospitals, they can't pay taxes to this government or to the federal government or to the local government. People won't be able to pay

their property tax, won't be able to pay the provincial government tax or the federal tax.

That's basic, fundamental economics, that people who work actually can contribute back to government and to society, but if you're not working there's going to be very little manoeuvring room for this government. So far all you've done is say, "We're going to take that money from workers." You're going to take money from some vulnerable people and you're going to give it to people who are probably working now and people who don't need that tax cut.

The direction has to be changed to say that not only will this government think with nostalgia about Ronald Reagan; they have to start thinking in terms of the 21st century. They have to have some new, innovative initiatives. I haven't seen one innovative initiative so far. I challenge this government to start looking at innovation, to face the challenge that Ontario is in and this whole North American economy is in.

There are different things being done internationally that are working, but the Reagan approach didn't work and it won't work. That's why the critical thing is for the backbenchers on the other side to say: "How many jobs are we creating? Where are the real, full-time jobs people are asking for?" Will this \$5-billion tax cut create as many jobs as you promised, for instance? They promised they would create 720,000 jobs.

As they continue on this Reagan approach to economics, they're also adding another very interesting scenario. They're saying, "It's not we who are going to increase taxes; we're cutting taxes." But what they do is have this thing called—I think the Minister of Health today finally said the four-letter word—a user fee. This is another back-door tax this government is introducing.

You're going to see a whole slew of user fees. This government will say: "Oh, it's not us, it's the local municipality that's charging that user fee on your garbage. It's the other level of government. It's the library that's charging that user fee. It's the local council that's now asking you to pay for those services that you got on your basic tax."

1600

On top of the property tax, there's going to be a new user fee tax you'll be paying when you go for medical services. The Minister of Health admitted today that they are seriously going to introduce some form of user fee for medicine and prescribed drugs in this province. They're changing the definition of what it is and what it isn't, so the ordinary consumer is going to be hit with a tax. That tax, that user fee, is going to pay for that \$5-billion giveaway. That is what is wrong with this thing.

Why would you take money out of those people's hands to give this tax cut, when these people are buying medicine or are living in their own homes paying property taxes that are already too high? Why would you ask these people now to start paying more, when you're asking others who can afford it to pay less?

This is not fair or logical. I would say it's better not to charge user fees to that senior citizen who needs those

drugs, better not to charge user fees to pick up garbage, better not to charge a higher fee for public transportation, but keep that money in the hands of people who right now are struggling to pay their bills. These are the people on fixed incomes, the people who are worried about whether they're going to still be in their house a year from now, because that property tax is already like a mortgage on their home.

The user fee approach is another misguided and I think very regressive approach to getting revenues for this government. User fees are regressive in nature because a user fee hits hardest the person who can least afford it. That well-to-do person can afford to pay that user fee and that \$2 more for a service may not hit that well-to-do person. But that \$2 for a senior on a fixed income is punitive, and that's why user fees should be rejected, because they hit the people who are most vulnerable. It is critically important that we look at this user fee in that light. It's another anachronism, another back-door tax grab. That's what it is, and it hurts people who are trying to make ends meet.

As you know, the per capita debt load of individual Canadians has never been as high, because people over the last five or six years no longer have the ability to finance education for their children. They've had to go into debt to pay for many things they thought they could afford. Individual Ontarians are in greater debt than they've ever been before.

If this continues, how will these people be able to purchase goods and services? They're not going to be able to, especially when on top of this debt they're faced with part-time jobs instead of regular jobs. These people are faced with losing jobs, on top of this debt they've accumulated—not because people are living high off the hog. I think they've accumulated these debts because they've had relatives who lost their jobs and had to help out. They've had sons and daughters who had to come back into the house because they lost their jobs. That's why they're in debt. They're not in debt because they're going to the Cayman Islands. They're in debt because they've had to help out their friends and neighbours and families. That's what's caused the debt, and because the amount of work and economic activity has shrunk in the last six or seven years.

What people need more than anything else are employment opportunities. You can talk about tax cuts and you can talk about cuts across the board, and it may make you feel real good to cut the NDP programs, but the critical thing is that somehow they have to get their nose to the grindstone and start coming out with innovative programs to create employment in this new economy.

The Deputy Speaker (Mr Bert Johnson): The member's time has expired. Comments or questions?

Mr Tilson: I have listened to the member for Oakwood and I don't think he gets it. This province has a debt of \$100 billion. The interest on that debt is approaching \$10 billion. We in the province of Ontario don't have any other choice. There is no more money, we have no more money, and if we listened to you we would be spending the way your government and the last government, the Liberals and the New Democrats when

they were in government, were spending for the last 10 years. You don't get it. Look how the debt has grown. Look how the overspending has grown. There is no more money. These cuts aren't going to be interest.

It's as if you think we took you by surprise on this thing. This thing has all been spelled out in the Common Sense Revolution, the document which I know you've read—

Mr Colle: We haven't read it.

Mr Tilson: Well, if you haven't read it, I'd recommend that you do. All your constituents read it, and they read it back a year before the election.

Mr Wildman: That's why they voted for him.

Mr Tilson: The member may have been fortunate to become elected and I welcome him to the House as a new member, and it's good to hear from him, but I'm afraid he's a little misguided on the economic policies of this province. I'll tell you, there's history as to where people have gone. Look at New Zealand. There's no more money. You've got to get that into your head. We can't keep spending the way your party spent and the way the NDP spent over the last 10 years.

If you were a private individual and you were going into bankruptcy—and by looking at you I don't think you are in that state, but if you were, you'd cut back on your spending, cut back on your way of life. Why? If you didn't, the trustee in bankruptcy would move in. That's exactly what is going to happen to the province of Ontario if we don't take the action we're taking.

Mrs Elinor Caplan (Oriole): First of all, I'd like to commend my colleague on his very important and very significant comments in this debate on supply. I would also say, although it's during a two-minute response, that I am provoked by Mr Tilson, the member from the Orangeville area, the member for Dufferin-Peel. New Zealand, sir, did not cut their income tax rates by 30% as a way of dealing with their deficit and their debt.

I would also point out to you that while we agree that there are serious deficit and debt considerations in this province, your policies will not balance the budget and the deficit until the year 2001, after your mandate expires, and second, that during your term of office, because of your unprecedented tax cut the debt is going to increase almost 20%, to a projected \$120 billion.

So don't stand in your place and lecture us. We were the first government in the history of this province for the last 20 years that balanced the budget, had consecutive operating budgets, reduced the debt by \$430 million. When you stand in your place and suggest to us that a 30% income tax cut is fiscally responsible at a time when we do have a serious deficit situation and a serious debt situation, your credibility and the credibility of your party—and I can tell you, once the taxpayers and the voters in Ontario understand the implications of your policy, they will realize that it makes no common sense at all.

Mr Colle: To respond to my honourable colleague the member for Dufferin-Peel, the fundamental thing I don't understand—and I could ask him to think about this—is that if the debt is of such serious concern to you, and I know this is the mantra of every Conservative member,

why would you borrow money for a \$5-billion tax cut, if you were that concerned about the debt? I could support it if you were to say, "I would give that \$5 billion to reducing the debt." Instead, you've made a politically expedient choice to basically give that money away to a lot of people who don't need it.

1610

Don't tell me about the tax cut and don't talk to me about this debt that concerns you. I would think that you would be a lot more credible as a party if you took that \$5 billion and brought that debt down, because that might even create more confidence and it might create more jobs than that \$5-billion reward to people who maybe are going to spend it offshore.

So when you say to yourself that you want to deal with that debt seriously, use that \$5 billion to pay the debt down, and then you would be following Ralph Klein or New Zealand's example, because neither one of those entities had this haywire tax cut like you are going to do and impose on the people of Ontario.

The Deputy Speaker: Further debate?

Mr Wildman: I'm pleased to join the debate on interim supply with the opportunity to discuss a number of issues as it relates to the voting of supply to the government bench, to the treasury bench, so that the government of Ontario can continue to carry out its responsibilities across the province.

I've had the opportunity in this House of speaking on interim supply on many occasions over the last 20 years serving my constituents from Algoma, and I'd like to have the opportunity here to engage in some dialogue, particularly with the backbenchers from the government side, and I hope we will be able to have a real dialogue. Frankly, I'm not too concerned about talking to the members of the government. I do see one member of the government here, but they seem unlikely to be interested in consultation, because I've actually tried to engage cabinet ministers—

Hon William Saunderson (Minister of Economic Development, Trade and Tourism): All us people are members of the government.

Mr Wildman: No, they're supporters of the government. You're a member of the government.

Interjection.

Mr Wildman: Oh, you're not a supporter of the government? Oh, I thought you were. I thought they were supporters of the government, but at any rate, the supporters are the members on the government bench, then.

I would say that those members of the treasury bench have indicated quite clearly that they do not like the idea of consultation. As a matter of fact, they've said a number of times that all the consultation that was required took place in the six weeks prior to June 8, and that a decision was made on June 8—I recognize that a decision was made by the people of the province on June 8—and therefore no more consultation is required, even on the implementation of the commitments made by the Conservative Party in the election campaign. Apparently, there is no need for further consultation. So I would like to engage in a discussion with the backbench members.

I truly believe it to be a privilege to represent the people of Algoma in this House, and have had the opportunity to do that for a number of years, and I know that all members of the House feel that way in regard to the responsibilities given to them by their constituents.

I want to talk about a couple of things: First, the approach taken by the previous government that the members of the Conservative Party and the government disagree with, and I understand that they disagree with it. I also want to talk about language and the use of language and what it does to the political process in Ontario, and what it means then in terms of the allocation of the funds that we are voting today.

I think one of the best examples of the approach taken by our government in trying to build partnerships among government, business and labour to respond to the very serious economic difficulties that we face in Ontario for my area was the example of Algoma Steel Corp.

Not long after we came into government, the then Premier received a telephone call from the chief executive officer of Algoma Steel to inform him—actually, I think the first call was from Dofasco, which owned Algoma Steel—and subsequently I got a similar telephone call, that Algoma was in serious difficulty and Dofasco intended to write it off, essentially, and that would mean the loss of somewhere in the neighbourhood of 6,000 jobs in Sault Ste Marie, direct jobs in Sault Ste Marie and Algoma district, and of course with the spinoff that would mean probably in the neighbourhood of 12,000 to 14,000 jobs, in a community of about 82,000 people, Sault Ste Marie, and a total Algoma district population of about 140,000. You can imagine the economic devastation that would have meant.

We had the opportunity to involve in a very innovative way Dofasco, but particularly the banks, the United Steelworkers of America, the workers at the plant, both management and labour, in an innovative ownership-partnership approach that frankly was a risk; a very serious risk for the taxpayers of the province and for the workers themselves as well as for the banks.

It was a risk, but it was a risk that paid off, to the point that Algoma Steel now has gone from near bankruptcy to the point where it is now the most productive steel plant in North America.

Everybody took a haircut, I think is the term in business. The banks had to eat a lot of debt.

Mr Frank Sheehan (Lincoln): How'd you convince them to do that?

Mr Wildman: By job-owning. Because they knew if they didn't do that, they were going to lose everything. Just as the workers took a cut, a very serious cut in pay.

Hon Mr Saunderson: If they hadn't asked for such a big increase, it wouldn't have happened.

Mr Wildman: I think I don't need to go on at length, because the interjections are demonstrating the different attitude.

During the election campaign, Mr Tom Long, whom I happen to know personally—we're not bosom buddies, but we're friendly. We know each other. He made a

statement—which was carried, incidentally, on the front page of the Sault Star, much to the consternation of the local Conservative candidate—in which he said that if the Conservative Party had been in power at the time that Dofasco phoned the Premier, it would not have participated. The government would not have participated, and that would have meant a depression—not a recession; a depression—in Sault Ste Marie, the demise of a steel plant. It wouldn't have shut down completely. It would probably have become a mini-mill, employing somewhere in the neighbourhood of 1,500 to maybe 2,000 at the most, instead of continuing to employ between 5,000 and 6,000 people and make a profit.

I don't believe that "profit" is a bad term. The point is, whatever the causes—the workers' demands, the banks, the high interest rates—everybody recognized they had a problem and everybody took some sacrifice and made it work in partnership, and it has worked. It's something that, as a member of that government, I'm very proud of, and as a representative of that community and of Wawa, I'm also very proud. That was our approach.

Mr Long demonstrated clearly that the Conservative Party believed that the market should decide. There were analysts at the time, steel analysts. One infamous one is Jay Gordon, whom I also know, and we are not even friendly, as I am with Mr Long. Jay Gordon has always campaigned against any kind of assistance for anybody, particularly Algoma Steel, because he believes that there should only be two major steel plants in Ontario, and I guess they are Dofasco and Stelco, and he believes that the market will decide that eventually, some time or other. He would write off Sault Ste Marie. Apparently, so would Tom Long, and so would the Conservative Party. That's the difference in approach.

I said I also wanted to talk a little bit about the approach taken by the Conservative Party since it won the responsibility of government on June 8 and the language that is used. It's certainly the language of the market, as Tom Long has made clear. The market will decide, the invisible hand of the marketplace. Adam Smith lives. You know, in medieval times they called it God. After the Industrial Revolution it became the market.

1620

I recognize that we live in a mixed economy and that we need to have private investment. We need risk-takers. We need people who, because they take risks, can then gain profit. We need workers who make a contribution. We need a skilled workforce who can provide for themselves and for their families. And we also have to be able to provide for those who are less fortunate and cannot provide for themselves.

I think I've tried to make clear what my position is. Let's look at the language that is used. When I say the language of the market and the concern about debt, it should be clear that while we all have differences of view—and that's what democracy is about and that's what the Legislature is about—there is basically one area of agreement, I suppose, with significant changes in emphasis, but one area of agreement in that we recognize that the debt and the deficit are matters that have to be dealt with. In the last part of our mandate, of course, we cut

substantially, and that was because we recognized the difficulty. You might argue we should have recognized it earlier. I don't want to get into that argument, but the fact is, we all now accept that we must do something to deal with debt and deficits.

However, there are major differences in how we should do that. In our view, we must have employment opportunities. People must be trained and get the skills they can then market in the marketplace so that they can be contributing members to society whose taxes can be paid to the government. The government can then use those taxes, as we are here voting interim supply, to fund programs which will help those who cannot provide for themselves and help to stimulate further economic development that will provide more job opportunities that can be taken advantage of so that we have more taxpayers, people who can pay for the good of society and for themselves.

I have a fundamental disagreement with some of the language that is used. The argument really centres around whether or not a tax cut is a wise approach at this time in our economy. It seems to be almost a matter of faith, on the other side of the aisle, that the tax cut will resolve our problems, because the trickle-down theory is that people will spend the money in Ontario and then that will create more job opportunities, more investment and so on.

There are of course no guarantees that this money will be spent in Ontario. People can take a tax break and they can invest it anywhere in the world. They can stimulate jobs in Florida or in China or in Europe. There's no guarantee that those jobs will be stimulated, if they are stimulated, anywhere in Ontario. It certainly doesn't mean, if there are jobs stimulated elsewhere, that they will provide any tax revenues for Ontario. They will create tax revenues, I suppose, for those other jurisdictions.

The opposite side refers to this idea of cuts and tax breaks as a revolution. They look at the cuts to social services, health care and education as revolutionary. They've redefined the word "revolution" in the political sense. It no longer is an attempt to advance, but it is an attempt to go back. They're using the word "revolution" to mask what is essentially reaction.

I heard recently that the Premier was in his home riding in North Bay and he attended a fund-raiser. I understand it was \$125 a plate. There were 600 people at the fund-raiser. I'm sure it was very successful for the Conservative Party. There were also more than that outside, in a demonstration, and I understand that they weren't having a \$125-a-plate supper; they were eating bologna sandwiches.

During his remarks that night the Premier was quoted as saying to the people who were sitting in front of him at the \$125-a-plate dinner that the people outside—many of whom were social assistance recipients, working poor and so on—were privileged and that their privileges were not going to continue. Let's look at that word "privilege." I think what he meant was they were privileged because they didn't—I think he meant—have to work and they still got some income through social assistance. But isn't that a corruption of the word "privilege"? How can someone suggest that someone who is poor is privileged?

The other use of words in this so-called revolution is the term "interest group." Somehow the Conservative Party believes that they represent the "silent majority" and that anyone who disagrees with their agenda is a member of an interest group, that they have their own self-interest, the status quo, to defend and that they aren't interested in the common good.

Mr Gerry Martiniuk (Cambridge): You've got it.

Mr Wildman: The member over there is confirming that. So they define 52% of the population, women, as an interest group. The majority of the population is now an interest group.

Mr Gilles Pouliot (Lake Nipigon): Workers.

Mr Wildman: Workers are an interest group; minorities are interest groups; service providers are interest groups; teachers are interest groups; school boards are interest groups; municipalities are interest groups, and everything they have to say doesn't count.

Mr Wayne Wettlaufer (Kitchener): And if they would all work together then it would be to everybody's benefit.

Mr Wildman: I've seen in this House governments of every stripe and I've been an observer of government over the years, and I've seen that over the years, no matter whether you had a Conservative government, a Liberal government or a New Democratic government, there was an attempt—sometimes successful, sometimes unsuccessful—by the government to bring people together in Ontario, to try and get people to work together and develop some sort of consensus around what the government should be doing.

It is my observation, in the few short months since June, that this government does not take that approach. They aren't interested in bringing people together. In fact, they are quite happy to have confrontation, because they see themselves as representing a certain element of society, and all those others who don't agree with them, again, don't count. So they aren't interested in bringing those people in and hearing what they have to say and seeing if in some way they can accommodate their needs and concerns. No. Let them stay outside and demonstrate and do whatever they want. They don't count. Let 'em eat bologna.

Interjection: Tuna.

Mr Wildman: Or tuna. The irony of this whole approach in my view is this: The so-called Common Sense Revolution, or, as I call it, the No Sense Retribution, is based on the premise that the poor have too much money, they're getting too big a piece of the pie and the rich don't have enough money and they're having to pay too much into the process. That is what these people believe. Think of that as a reversal of language. The poor are too rich and the rich are too poor, because that's what they're talking about. They're talking about taking money from the poor, in cutting welfare benefits by 21.6%, and giving money to the rich in a \$5-billion tax cut.

So the idea is to take from the poor and give to the rich.

Mr Martiniuk: Who represents the working poor? Why do you keep taking money from these people with higher taxes?

Mr Wildman: I see the Sheriff of Nottingham over there is trying to defend his policy, as opposed to the approach that governments in the past have taken, which might be compared with Robin Hood, which was to try to share the wealth with those who don't have it. That's the difference in our approach and it's also the new reversal of language. It's almost Orwellian in the way that they approach language.

1630

Interjection: And you're more lethal than anyone else. We've heard that one.

Mr Wildman: I don't know exactly what that means, but it probably means something.

I want to refer to their campaign document. This is the seventh printing, page 9. This I want to refer to because it's somewhat similar to my experience in church, in that of course there is the gospel, which is referred to and is interpreted, and everything is based on the gospel. If it can be based in some way on the gospel, it's acceptable, and if it doesn't relate to the gospel, it doesn't matter. So I will try to follow their approach.

It says on page 9 that they want "to replace welfare with a work, education and training social policy that rewards individual initiative and demands responsible behaviour from recipients of public assistance, even as it expands opportunity to achieve self-sufficiency."

That sounds very interesting. I believe that we should be expanding opportunities for self-sufficiency and that's why I've raised in this House on a number of occasions in the last couple of weeks instances of people who are attempting to gain the skills to enable them to become self-sufficient and to provide for themselves and get out of welfare, such as the example I raised in the House today of a 19-year-old single mother who is attending high school taking grade 11 courses and supporting herself and her son on welfare.

Here's an example, I think, of the kind of person the Conservatives would congratulate, someone who is trying to get ahead, provide herself with the skills she needs. She wants to go to university, and then she can be a contributing member of society and provide for herself and her family. But the government has cut her benefits by 21.6%, so the result is going to be that she will not be able to afford the child care she needs because the child care subsidy is disappearing and she will then quit school, return to welfare and be a drain, as the Conservatives would have it, on our society. Surely that's self-defeating, even for the government's agenda.

I can't understand why the minister has not been able to respond in any way about what he's going to do to assist young women particularly, single parents, who are attending school to get the training and education they need so that they can be productive members of society. Why do the Conservatives seem to think it's okay for these people to go back on welfare and stay there, instead of getting the training and skills they need to get off? It doesn't make sense to me when I look at your document about wanting to expand opportunity to achieve self-sufficiency. It's self-defeating.

Also in this document, they go on with some emphasis with regard to education, because I think we all in this House recognize the importance of education for providing the skills required for people to be self-sufficient. It says here on page 8 of the retribution document:

"Classroom funding for education will be guaranteed.... Not enough is being invested in students directly. Our principle of 'classroom-based budgeting' will help ensure that this essential service is protected and, indeed, that excellence in education and training is enhanced."

Nobody knows what "classroom-based budgeting" is: nobody in any of the school boards in the province, nobody in the ministry and frankly, I suspect, nobody in the government. Right now we don't know how to define "classroom-based budgeting." The minister was asked, "What does classroom funding mean?" and he said, "Anything that has anything to do with the advancement of students."

That's a pretty wide definition. I think just about anything that a school board does might be defined that way—just about—because if they are spending money that is not going to contribute to the advancement of students, then they shouldn't be.

I know that there is a group within the ministry that is currently working to try to get a working definition of "classroom funding." But what they're coming up with, as far as I'm aware, is that about 10% of the expenditures of school boards are clearly administrative. Perhaps about half of that, or maybe even more, maybe a little more than half of that, could be cut, could be seen as fat.

That means you might be able to save approximately 6% of the expenditures by cutting fat on administrative costs. But that is nowhere near what the targets are that the Minister of Finance has requested his colleague the Minister of Education and Training to achieve; it doesn't come anywhere close.

I don't understand how this government is going to maintain its commitment to protect classroom funding unless there are going to be increases in rates paid at the local level, unless we have property tax increases. I know the Minister of Finance has said very clearly that there shouldn't be any property tax increases, but I suspect that what we are going to see is a balancing of most—or perhaps more, even—of the cut in income tax by increases in property taxes at the local level by school boards and by municipalities.

I don't think anybody in the public is ready at this point for the magnitude of the cuts that are coming at the end of next week and then in the next budget. When they see them, and they see they can't provide for classroom education, then boards will be tempted to raise taxes so that they can continue that funding.

One of the ways the Ministry of Education and Training is attempting to find the funds that it requires to meet the target set for it is to cut funding for junior kindergarten. I know that in the retribution document the Conservative Party said that it wanted to make junior kindergarten optional and that it has done that. But it really isn't optional if, at the same time you say boards can determine whether or not they're going to provide junior kindergarten, the provincial government cuts the funding for junior

kindergarten, particularly if you have the Minister of Finance saying the board should not increase local property taxes. It means that the local boards will discontinue junior kindergarten. Some 80% of the boards in this province provide it because they know it's important for students, for their performance later on in school and in life.

We find that this government again uses another word, "option," in a way that is not really the proper use of the word. It is not a choice for boards, if they cannot increase property taxes and they are going to lose provincial grants, to be able to continue to provide the program.

I don't think that in all the years I served in opposition prior to 1990 I ever confronted a government quite like this. I think the members of the Conservative Party are quite proud of that. This certainly is not the kind of government that my friend the member for Etobicoke-Lakeshore served in before.

1640

This is a government that isn't interested in consultation. It is a government that is determined to carry out an agenda that they believe they've been given a mandate to carry out, that cannot be confused with facts, that will not listen to contrary opinion because it will slow down the progress of achieving the commitments they've made, and might in fact provide information that might convince them that perhaps they should modify their approach.

It's a government that uses language in a way to confuse and to, I believe, corrupt, and I don't mean that in the sense that you might take it; I mean it in the sense of corrupting political discussion and debasing, I guess is a better word, the language that we use in this place and outside of it.

I think the government and the members of the back bench who support the government clearly believe in what they're doing, and sometimes when you ask them why they're doing it, they say, "Because we believe it," which is certainly an indication that they're an ideological bunch. But I'm not sure that ideology is something that people on welfare and social assistance can eat when they see that their incomes have been cut in the name of providing more to the wealthy.

I understand that my friend from Scarborough East in his remarks on Monday just before 6 was not able to complete his remarks, and I know that when he sat down and gave up the floor, he didn't reserve time for later. I would ask the members of the House if they would agree to give my friend from Scarborough East the opportunity to complete his remarks as we go through the rotation rather than have the opportunity to hear his pearls of wisdom after other members may have wanted to respond.

The Deputy Speaker: Comments or questions?

Mr Tilson: I'd like to make a few comments on the presentation given by the member for Algoma. The member for Algoma is certainly recognized as an experienced member of this House. He's been around many years. He's been in government; he's been outside of government. He's seen governments come and go.

Listening to his comments, and I tried to listen to as many of the remarks that he made as possible, what I don't understand, which I'd like the member to comment

on, is that every family in this province, or most families in this province, almost every institution in this province, has restructured, has downsized.

All of us, as individuals, as institutions, as corporations, we've spent beyond our means. We get credit cards. We do all kinds of things. We buy things and we can't afford to do it, and I think that's exactly what has happened to the province of Ontario. A succession of governments—and I certainly would admit that the Conservative government prior to the Liberal government did some of this, but not to the extent of the Liberal government of David Peterson or the NDP government of Bob Rae, not to that extent.

I can only repeat the message that I have been trying to give, and I ask the member for some comments. We can't afford it any more. We're overtaxed. I don't know what the Liberal taxes were—something like 33, and the NDP 32, or it was vice versa?—but it was approximately 65 taxes in the last 10 years. We're overtaxed to our hilt. We can't afford to ask the people of this province to give any more money.

So again I repeat, we have no choice but to do what we're doing, and for the life of me I can't understand the opposition particularly the member is giving to the restructuring that this government is entering into.

Mr John Hastings (Etobicoke-Rexdale): I note with some substantial reflection on the member for Algoma's comments about how nobody in this government or anybody in the bureaucracy has figured out what would constitute classroom expenditures.

Let's just use a little judgement, and look at very specific things which would constitute classroom expenditures: obviously, the overheads of the building, your lighting system, your heating and ventilation, your teachers' salaries, your maintenance staff to some extent, chalk, some computers.

Mr Wildman: Just about everything.

Mr Hastings: You can say, "Just about everything." That would mean that excessive extravagances would be justified as well. As a case in point for the member for Algoma, I know of a school board in Ontario that has been able to buy one of the most expensive printing-shop machines, laser printing, when the justification of the economic cost could never be made as a business case, because they would approach the municipal government to get business. To me, where's the thinking in just that one decision? To me, that doesn't support nor constitute classroom expenditures.

When you start sorting out a few of these support situations, they cannot be justified to help the teacher in the classroom. In many instances, your high overhead costs deal with your administration staff, with excessive purchases over the last few years of school board real estate. I don't see how that could be figured into any equation in terms of classroom education if you were trying to define the core costs of expenditure in that area. I would ask the member for Algoma if he would start to really look at the specific items that constitute classroom education and how we can come up with the definition we have in the Common Sense Revolution.

Mr Wildman: At the beginning of my remarks I said I hoped I could engage in a dialogue, and I appreciate the comments from my friend. I'd like to try to respond. I've known the member for Dufferin-Peel for some years, and we've had exchanges in the past. I would say that we are not opposed to restructuring, and I would argue, although I'm sure he doesn't agree with me, that in the last three years of our mandate we engaged in considerable downsizing in the government. He would say we had gone up too much before that and we were just coming back down, but there was downsizing. We spent less, year over year, twice in the last two years of our mandate, the first time any government has since 1945. So we weren't opposed to downsizing.

What I would say, though, is that I'm very concerned about what we do if we simply cut, cut, cut and don't provide the supports required to enable people who have gone through such restructuring to adjust and deal with that. That's why I'm particularly concerned about the cuts in education spending.

He says we are overtaxed; perhaps we are. I don't think that is borne out when you compare us with other jurisdictions. But even if we are overtaxed, if you are as concerned with debt as you say you are, I don't understand how you can justify increasing the debt by giving a tax cut.

The member for Etobicoke-Rexdale gives the example of extravagance in classroom expenditure. If we could easily define "classroom expenditure," the minister could answer my question when I ask him, what is the total expended in this province on classroom? He doesn't have a figure; he doesn't know what it is.

Sure, there might be examples of extravagance. I can think of the Carleton board, which a couple of years ago engaged in certain activities that I don't think had anything to do with advancing students. I would agree that those times have changed, but I would also say that the examples he's given indicate that there are very few things that cannot be justified as expenditures.

The Deputy Speaker: The member for Algoma has moved that there be unanimous consent that the member for Scarborough East continue. Agreed? Agreed.

1650

Mr Steve Gilchrist (Scarborough East): My apologies to both the Chair and the clerks if my inexperience on Monday night created the confusion that occasioned the gracious offer from the member for Algoma, and I am indeed grateful to him for the opportunity to finish off the comments I had started Monday night. For those of you keeping track at home, check the Hansard for Monday at 6 o'clock. This is the second chapter in a continuing saga.

Mr Wildman: "As I was saying before I was so rudely interrupted...."

Mr Gilchrist: Exactly, if I can remember back that far. The graciousness of the other two parties will force me to temper my comments. I'd feel guilty about taking umbrage with anything that's gone on in the last 10 years.

Mr Wildman: Go right ahead.

Mr Gilchrist: Seriously, over the last few weeks and months we've seen a number of people in this province,

some inside this chamber and many outside, accuse our government of a multitude of sins. Some are in a quest for printer's ink, I think others are genuinely confused about the issues that face us in this province, and others have just not taken the time to inform themselves of the specifics of the initiatives our government has taken so far.

On June 8 there was a clarion call from the voters of this province, a call to fiscal responsibility, a call to common sense, not just in how we raise dollars but how we spend dollars and how we prioritize the issues this government must face and the programs we must fund. They sent a very clear message that the days of solving problems by indiscriminately throwing taxpayer dollars at that problem are long behind us, and they've demanded the same kind of fiscal responsibility that all of us in our personal lives and in our businesses are forced to practise.

Perhaps most importantly, based on the Common Sense Revolution, they gave our government the mandate to set priorities, most of which we stated very, very explicitly in that document. Those priorities must be determined within the framework of very limited financial resources that are before us today.

Speaking of the Common Sense Revolution, I'm very proud of the grass-roots consultation process that our party put in place a number of years ago in concert with task forces in which all our sitting members at the time took part and which went across the province thoroughly debating the issues of the day, doing in-depth research, not with a bunch of academics but with the people in Ontario: the shopkeeper, the doctors, the accountants, the corner garage and the Mac's milk store, all those people who in their day-to-day lives are the ones confronted with the educational challenges, the health care challenges and the law enforcement challenges. Based on those discussions, based on that dialogue, we distilled that down. The words of literally tens of thousands of Ontarians were distilled down into the words that became the Common Sense Revolution.

So it's not surprising—in fact it would have been illogical had it gone otherwise—that the results of the election, the support we got on June 8, mirrored the support we received in those task forces. All we did was accurately reflect the views, the aspirations and the concerns of the people of this province in a document. And we did one other thing: We gave our solemn commitment to honour all the promises contained in that book.

To date, many of those promises have already been fulfilled: the issues of coming to grips with the crushing debt load of this province and with deficit spending and the ills attendant to that. Another major step will be taken next Wednesday with the economic statement that the Finance minister told us about today.

It's clear to all but the most politically biased that the policies of the last decade have failed to advance the cause of people who have been most disadvantaged these past few years and the people who are trapped in the welfare cycle. It's immensely distressing to receive lectures, within this chamber and outside, from those who have, if not profited from the expansion in the welfare rolls, at least have done nothing to stem the dramatic increase in the number of people who are receiving

welfare assistance in this province, and particularly the vast increase in the number of children who have been forced on to the welfare rolls.

Instead of job creation in the last 10 years, we've had tax increases. We've had an increase in regulation. We've had 10 years of telling business that jobs weren't welcome in this province, that their investment dollars weren't welcome and their job creation just wasn't welcome. Indeed, the only jobs that one might say have been created are in food banks and in other social agencies which sprang up to deal with problems that in many cases didn't even exist back in 1985.

I've spoken in short statements in this House, starting from the day after the throne speech, about the inconsistency with which many of our transfer partners are dealing with the funding crisis. The example I used was the TTC and how galling it was to me that at a time when all of us should be wrestling with the genuine need to balance fiscal responsibility with a social conscience, the TTC commissioners, particularly those of a certain anti-Conservative bent, but perhaps not motivated by politics, maybe motivated by a lack of awareness of exactly the issues that face us in this province today—we were confronted by a group that, when we told them their budget would be cut by one thin percentage point, did not respond by trimming administration, did not respond by looking for new efficiencies, by consolidating services, by out-sourcing, by cooperating with GO Transit or Mississauga Transit. There were probably myriad ways to have accomplished a 1% saving.

But what did they do? Their first step was to raise their prices. There's a logical conclusion. Again hearkening back to my retail background—that's right; any time we had a problem moving product we raised its price. Sure, that's how you stimulate product movement. It's exactly the opposite.

The other thing they did, having now told people that we're trying to price them out of using our service, was to threaten the people most in need of public transportation, the most vulnerable group in our society, the people who use Wheel-Trans. I did not hear any dissent that day and I doubt if I would hear it today; I doubt if there is a member of any party in this House who sanctions blackmailing the people who use TTC's Wheel-Trans service under the guise of meeting this fiscal crisis.

Mr Wildman: Careful. Is that parliamentary?

Mr Gilchrist: I will withdraw the word "blackmail"—using them as pawns in a political game.

It has nothing to do with partisan politics. It has everything to do with properly reading the tea leaves and seeing that a message was delivered by the voters of this province on June 8, and they clearly have not got that message.

Every time one of our transfer partners fails to proactively deal with the funding crunch, deal with deficits by helping out in their own small way, they exacerbate the problem and they tie the Finance minister's hands, and that has led us to the point where we may very well have to take unilateral action. That's indeed regrettable, because the hallmark of our negotiations with most of these

transfer partners for the last five months has been to ask for their cooperation. We've had five months since the swearing-in for these transfer partners: municipalities, universities, schools and hospitals.

I should say that many have recognized their need to belt-tighten. They have recognized within many of the hospitals that if they don't want the Metropolitan Toronto District Health Council to force something upon them, they should proactively get together and find new economies and find savings. Those partners are to be congratulated, but those that haven't learned, and unfortunately they are the majority, will be forced, along with the rest of us, to do the belt-tightening if we are going to deliver on all the commitments of the Common Sense Revolution.

We're leading by example. I'm sitting on a committee that's looking at the spending by the members themselves in this Legislature, and I can tell you that we're being as ruthless in analysing cost savings in this building as we are with anything going on outside of the Legislature. We've already committed to eliminating the pensions that the new members and I would have been eligible to receive, and we will stand by that commitment as well.

It's similarly a gross misstatement to suggest that we have cut the funding for those who are seniors or disabled on welfare. The fact of the matter is, the cuts have come only to those who are able-bodied, and the message that has to be sent is that the only thing that will break welfare dependency, the only thing to get people off that crushing treadmill of despair, will be the dignity of a job.

Again I don't think that a member of either of the other two parties would disagree that the long-term goal of this government has to be to find a job for every single able-bodied person who's currently on welfare. That is our commitment. We may disagree as to the strategy to deliver on that, but at the end of the day we at least will have a program in place, and I hope that as history unfolds, our commitment to create 725,000 new jobs will in fact wind up being an understatement.

1700

Likewise, the allusions to reductions in day care service are clearly untrue. On the surface, it may be fair to say that when we went from 100% funding under the previous government's Jobs Ontario program to the traditional 80-20 rule that was put in by our government many years ago and which has served this province very well over the intervening years—on the surface, yes, that would cost the municipality more dollars.

But offset against that was the fact that the same municipalities currently paid 20% of every welfare dollar that's paid out. So when we reduced welfare payments by 21.6%, their payments were reduced by 21.6%. In fact, the net difference across the province was a positive benefit for the communities of Ontario of over \$60 million—that's the fact—and a commitment for those few communities where the balance between the increase in day care costs against the decrease in welfare expenses created a negative, the minister committed to making up that shortfall.

So there is no municipality in this province, including Metro Toronto, that can say to any parent that we, the government of Ontario, have occasioned the need to reduce day care spaces in this province—not by one

space. That's the reality. That's the honest answer. Those who would go around this province fearmongering and creating the impression that our government has somehow impacted to the tune of 14,000 day care spaces are absolutely off base.

On the other hand, in the last five months our government has already gone a long way to restore fiscal prosperity in this province. We have sent out a message to the business community that we want their investment. This is a place where you will be able to make an investment and, we hope, a profit. We are committed to ensuring that we once again have a world-class education system, complete with far more appropriate apprenticeship programs to meet the changing needs of the marketplace today. We will ensure that we have the trained workers capable to handle the jobs of the late 1990s and beyond.

At the same time, we're committed to changing the tax regimen and already, through things such as the elimination of the \$50 annual filing fee and dramatic reduction in regulations and red tape that has beset business in this province for too long, we've sent out a very specific message that we want business to come to Ontario to invest and to thrive.

We've brought in bills to repeal the quota-based hiring practices that were implemented, I guess, three years ago now. We've eliminated the \$80-million boondoggle known as the Interim Waste Authority. We've moved to bring in the most definitive landfill and incineration standards that this province has ever seen. Once and for all I'm confident that we're going to be able to deal with a number of the environmental issues that have plagued our province for far too long—more than the last 10 years. These are issues that go back all of my lifetime and beyond, and once and for all we will know definitively the proper course that this province should take in handling matters such as waste management.

Add to that the fiscal benefits to the public purse of the 21.6% reduction in the welfare rates, which still provides, by the way, a 10% superiority over the average of all the other nine provinces. In fact, after the draconian cuts put in by the NDP government in BC just two weeks ago, that number is closer to 13% and in every single category Ontario now has the highest payments of any of the 10 provinces.

Mr Wildman: And one of the higher costs of living.

Mr Gilchrist: Within Metro it may have the highest cost of living, but I would suggest to the member that up in the riding of Algoma, having just been in Thunder Bay last week—and might I note how well maintained the roads were—I took the time to look through the Thunder Bay Chronicle and saw that the average cost of a single-bedroom apartment up there was only \$420, including utilities. That leaves \$100 a month, even for a single person.

At the same time, every minister of the crown has begun a review not only of all the specific regulations but of all the non-elected boards, agencies and commissions which have proliferated over the last few years, and again before, and which have been used far too often to circumvent this chamber and to make decisions that were best left to the elected officials in this province. The days of

the Ontario Municipal Board setting planning policy, de facto planning policy, must come to an end. The days of all these other unelected officials making decisions that have so dramatically impacted the lives of Ontarians must and will be reined in.

I feel tremendously privileged to have been born and raised in what I still believe to be the greatest province and the greatest nation on the face of the earth. There is no other jurisdiction, not one that I know of, where the citizens have the potential of achieving any—and I emphasize any—reasonable goal or ambition that they set their minds to.

There's no social program, there is no capital project, there is no government direction that we cannot afford once we have established a regime of fiscal responsibility. Ontario has the resources, natural and human, to resume a leadership role within Canada and internationally, and the only thing lacking has been a government that is prepared to lead by example, which is to say, operates efficiently, searches out new and innovative means of delivering services and which always—always—does these things with the abiding belief that it is morally reprehensible to mortgage the future to pay for the excesses of today.

Together, the members in this Legislature have a daunting responsibility. We have a choice. We can either spend the next four years engaged in frivolous, puerile philosophical invective or we can challenge ourselves—and I am indeed gratified at the start of the comments from the member for Algoma, his comments about wanting to embark on a constructive debate. I hope to take him at his word and I know in committee so far that has been the hallmark of the debate within the three parties. But I think we need to challenge ourselves to work cooperatively, to represent the best interests of all Ontarians, to ensure that opportunity and good fortune once again become the *modus vivendi* of this province.

This interim supply motion typifies the financial realities that we all face as we attempt to meet the legitimate needs of Ontarians. It may be a minor detail in the overall legislative agenda, but I would call upon all members to support this motion, not only to fund the good works of the government but to demonstrate that cooperative and productive spirit that will serve us and serve all Ontarians well in the four years ahead.

The Acting Speaker (Ms Marilyn Churley): Questions or comments?

Mr Tilson: I'd like to congratulate the member for Scarborough East on his remarks today. I think we'll certainly hear further speeches from him in the future. It's well thought out, and I think many people will listen to his comments quite seriously.

The favourite rant of the New Democratic Party and the Liberal Party of course is that the balancing of the budget is on the backs of the poor, and it's really unfair when one considers how we got to this place. How we got to this situation was because of the economic policies of the New Democratic Party and the Liberal Party over the last 10 years.

There's no question that there have been all kinds of programs that we got on to that we didn't have the money to spend on. We didn't have the money, the resources to

get into these programs, and the debt kept getting higher and higher and higher. In fact, I think it doubled in the last 10 years. Spending I think has tripled.

I must say that the member specifically referred to the area of welfare, and that's an area which specifically the New Democratic Party has referred to in the past. People in this province, whatever your economic strata, hopefully want to work, and what we have done is we have created a society where it doesn't pay to work, and that was not the intent of welfare.

Mr Wildman: Jeez.

Mr Tilson: Well, I can tell you, that's exactly what you've done with your policies. The intent of welfare is to help people.

Mr Wildman: Those people want to work.

Mr Tilson: Well, it doesn't pay them to work. Why would they work under the standards you've created? When I say "you," I mean the members of the New Democratic Party and the Liberal Party.

So I can tell you, Madam Speaker, that that is our intent: to get people working in the province, and I know that was the intent of the member for Scarborough East.

1710

Mrs Caplan: The member for Dufferin-Peel, while he provokes me, I'm not going to lose my temper. I would point out to him that the period from 1985 until 1990 in this province was a period of unprecedented economic growth, as 700,000 jobs were created, the budget was balanced for the first time in over 20 years—that's fully balanced, both operating and capital—and for consecutive years beginning in 1987 until 1990, there was a balanced operating budget. In 1989-90 the budget was fully balanced, and in fact there was \$430 million of debt reduced, again for the first time in over 20 years in this province.

I can say to the member that during that period of time from 1990—

Mr Tilson: Talk to the former Treasurer. He didn't agree with it.

Mrs Caplan: I am setting the record straight, sir, and I wish that you would listen, because you are repeating a mantra and, I will say to the Speaker, many people who will be watching proceedings of this House will be misled if they believe what you are saying.

I say to the member that the period of 1985 until 1990 saw the beginnings of welfare reform which were supported by none other than Conrad Black, who said that it was very important to provide opportunities for people to get off welfare and to work, and that never during the period of 1985-90 were the people of the province of Ontario scandalized by the type of display of bringing forward an unfortunate Helle Hulgaard to suggest that in fact she was better off on welfare rather than working at a \$40,000-a-year job.

Mr Howard Hampton (Rainy River): Someone who was totally discredited.

Mrs Caplan: Totally discredited. I would say to the member that to repeat this mantra of the past 10 years is to simply not tell the truth. Yes, times have changed and we have difficult times—

Mr Tilson: Point of order, Madam Speaker.

The Acting Speaker: Point of order, and also the member's time is up.

Mr Tilson: You should know, Madam Speaker, you can't allow that. She went through that on several occasions, suggesting that I was not telling the truth. That is not the way you act in this House. I will trust that she will keep the rules of this House and not allow members such as that to go on rants suggesting that other members are not telling the truth.

Mrs Caplan: Madam Speaker, the facts speak for themselves. If the member will confine himself to truthful facts, I will not stand in this House and say you—

The Acting Speaker: Would the members take their seats, please. I listened carefully to the member for Oriole. I must admit I didn't hear everything she said. I did not hear the member directly accuse the member for Dufferin-Peel of telling untruths. I did hear her use some words that in my view were borderline and provocative, but I don't believe, from what I heard, that she directly accused the member for Dufferin-Peel of telling untruths.

Further questions or comments?

Mr Wildman: I listened carefully to my friend from Scarborough East, and I must say at one point I was thinking maybe I shouldn't have asked for unanimous consent. But seriously, I understand that he said we shouldn't participate or waste our time, I think, in futile philosophic debate. I understand what he meant by that, but I do think it's important for us to be able to describe and explain the philosophy behind what we're doing. I think it's useful to have that kind of an exchange.

I would say that we would all agree, I'm sure, all of us in this House, or we wouldn't be here, that we live in the best part of Canada, and Canada, as the UN has shown, is the best or one of the best countries on earth to live in. I believe the reason for that is certainly our wealth of resources and our skilled people, but also the kind of social programs that we have developed in this country—not just medicare, which we all value, but the other safety nets that we have developed to assist people that are not existent in other parts of the world.

What bothers me through the discussion and points made by, for instance, my friend the member for Dufferin-Peel, whom I certainly would not want to accuse of telling an untruth, because that would be unparliamentary—I mean, he suggested at one point that it didn't pay to work in this province. That just doesn't bear any semblance of reality.

The vast majority of people in this province and throughout our nation want to work. Frankly, when people are asked, what do they do, who are they, they define themselves by their work. That is our culture. So to suggest that it doesn't pay to work is just silly, and it's unfortunate—

The Acting Speaker: The member's time is up. Thank you. Further questions or comments? Time for one more. Seeing none, I will ask the member for Scarborough East to respond.

Mr Gilchrist: Thank you to the members for Oriole, Algoma and—oops, where's David from?—Dufferin-Peel.

My apologies. There's no doubt that the social programs have been part and parcel of what has made Ontario the great place to live that it is, and in that regard, I will agree with the member for Algoma.

I think that, coming into this chamber, one is ill-served unless one accepts that every person sitting in this room has an equal right to be here. It's obvious, but it needs to be stated. While it is unfortunate that the parliamentary system encourages confrontation as a means to debate, I hope that we can find a mechanism to restrict ourselves not only to the facts, but even more so that we—while it's always tempting to fingerpoint to the past, I think it's far more appropriate for us to take our time ensuring that the changes that are implemented by this government set the tone for the next four years and beyond in a way that the province will be best served. We may learn from history, but I think, beyond that, our time is better spent debating the proactive and the forward-thinking initiatives that I hope will be the hallmark of this chamber.

I certainly agree with the member for Algoma when he says that this is a good province. I think, though, that while I recognize and he recognizes the benefits we all enjoy here in Ontario, the fact of the matter is that we can make it better. That has to be again the hallmark of what we do. We must constantly strive for the best way to deliver the maximum number of services. We must always be balancing the fiscal needs against the social needs. To that end, I thank him for his comments and I thank the member for Oriole, and I look forward to future such debates.

The Acting Speaker: Further debate?

Mrs Caplan: In the few minutes that I have to participate in this debate, I will be speaking to the formal supply motion which allows the government to then spend for the rest of this period of the fiscal year until the end of the year. It's an important motion; it does allow members latitude to discuss pretty much any area of government policy. I will be reserving a significant part of my time to continue the discussion on the three pieces of legislation that are before the House and that I spoke on yesterday, those being consent, advocacy and substitute decisions.

However, as I begin this discussion and this debate, I thought I might just share with members of this Legislature and anyone who's watching some of the stories that I'm hearing from constituents as they come to my constituency office. To the member for Dufferin-Peel and to others, the member for Scarborough West, I don't believe there is any person in this province—and certainly I am the first one to stand in my place and speak on behalf of providing services in the most cost-effective way, being fiscally responsible. Everyone agrees with that. You might even say it's motherhood.

1720

Some of us have practised it, and I'm proud of my record of both fiscal responsibility and looking to provide services in the most effective, efficient and cost-effective way. I've had the opportunity of serving in government in my very first portfolio as Chair of Management Board. I spoke on a fairly regular basis about finding ways to deliver services as efficiently and as effectively as possible.

I can tell you that in the days of buoyant economic growth, as the Treasurer of the day would refer to it, and in the days of a booming economy when jobs were being created, the tune of efficiency and effectiveness didn't pierce the public consciousness, because frankly everything was going well.

I was proud to be a part of that and I'm proud of the record, and that's why I stand here in this House and repeat the record, because I am concerned that the rhetoric and the mantra of the new government are giving the people of Ontario the wrong information about the facts of the governance of the period of time from 1985 till 1990.

Someone said to me, "Elinor, you're a little touchy and defensive about that," and the answer is, I am proud of it and so I am proud to defend it. I would stack up our record of those years of 1985 till 1990 against the previous Conservative record from 1980 until 1985 and certainly the disastrous economic record of the NDP from 1990 until 1995.

My concern, as I stand to debate supply, is that the economic, fiscal and social policies, which are linked, those policies that this government likes to refer to as common sense, the policies that suggest that you can balance your budget, cut taxes by a massive 30% rate cut in personal income tax and not fundamentally damage the fabric of our society, are not, in my view, common sense. I'm not going to engage in the rhetoric of, "It's non-sense," or any of that. I happen to believe that it's too important a debate for us to engage in simple rhetoric.

The reality is that the depth of the cuts that you are engaging in, that you must engage in to pay for your tax cut are going to have long-term detrimental effects on the people of this province. When you start to dismantle child care, when you have an impact on education—elementary, secondary and post-secondary—when you have a negative, detrimental effect on those services, you jeopardize the future of this province. Every study, every thoughtful analysis says that the target of your resources must be to future generations, and that education and child care are key to the economic prosperity and future of our province.

Secondly, I'm aware of the remarks of Fraser Mustard, the chairman of the Canadian Institute of Advanced Research, and his thesis, and their thesis, that supports what I have just said about nurturing the child having educational opportunity. Their view is that you can't start too early, and the notion of a voucher system that would effectively dismantle child care in this province, which has worked well—I'm not saying that there aren't reforms that are needed and necessary; I am recognizing that we can always make it better.

I did not support the approach of the New Democratic government under Bob Rae that suggested that all child care should be government-run. I don't believe it should. I don't believe that it should all be not-for-profit in the broader public sector. I believe that government has a role to set standards. I don't believe that government has to control; government has to hold accountable. Government that funds has an obligation to make sure that those dollars are being effectively used, and so the establishment of standards, the investigation, the accountability by those

who are providing the service, that is the legitimate role of government.

My opinion is that government should not be the deliverer; in fact, we should be the deliverer of last resort. I do believe a balance between public sector not-for-profit and private sector for-profit gives you examples of good competition.

Mr David S. Cooke (Windsor-Riverside): What about hospitals?

Mrs Caplan: The member from Riverside provokes me by saying, "What about hospitals?" I would say to him that one of the health reforms that I proposed as Minister of Health and that I still believe in very passionately is the comprehensive health organization.

Mr Cooke: What about the private hospitals?

Mrs Caplan: The comprehensive health organization is a model that would encourage the kind of appropriate and effective competition, public-private sector partnership—what we have in health care is a publicly funded, privately run non-system. I've said that many, many times. And I believe that in services we have to ask the following question: Who can deliver the best-quality service or the best-quality product at the best price?

There may be a legitimate and important role for government.

Mr Cooke: But look at all the studies on private child care. They all show that private child care doesn't work.

The Acting Speaker: The member for Windsor-Riverside.

Mrs Caplan: In many of those services, I believe there is, but government is not the only game in town, government is not the only provider, and I have always supported that kind of balance in the delivery of child care, and "balance" is the operative word.

I would also say to this government, as you look at your spending plans, that investment in child care, investment in education and investment in social services—I said I was going to share some of the stories. Now, I have to tell you, I can't use the names of the individuals, because when I say to them, "Can I tell your story?" they say, "Yes." When I say, "Can I use your name?" they say: "I don't want to be embarrassed. I'm embarrassed," they say, "by my troubles."

The first question most people come in and ask me is: "Can you help me find a job? Can you help me find a part-time job? Can you help me?" Because the policies of this government have had a negative impact on their ability to house themselves and feed themselves and their children. I keep a big box of Kleenex in my constituency office.

Let me tell you the story about one woman, recently deserted by her husband, with three children, one a baby with a heart condition. Her intention had been to go back to work after the baby was born. The baby was born sick; her marriage deteriorated. She is living in a one-bedroom apartment with three children and a sick baby. She's on a waiting list for child care. Her family benefits have been cut.

Contrary to the promise in the—and I call it the revolutionary document because the words “common sense” do stick in my throat—in that revolutionary document, when she phoned me, she said: “I thought they weren’t going to hurt children. I thought they weren’t going to hurt the disabled. How can I care for my baby? How can I look after my children, and how am I supposed to go to work? When I’m not home, who’s going to look after my sick baby?”

Another woman—because I have to tell you, while I do have men coming in to see me as well, the predominant number of people who are coming in with real, serious, unresolvable problems are women. Another young woman called. She has a disabled child. She does not want to institutionalize that child. The cost of institutionalization to this government would be three times annually the cost of supporting her on family benefits—three times. She says: “I want to give my child the best-quality life. I want to stay home and look after him.” She said: “My rent is \$700 a month. The child requires all kinds of support services that I simply cannot afford.” She said, “On \$957 a month, how am I to survive?” And I don’t know what to say to her.

She wasn’t the only one who called with a disabled child whose benefits had been cut from approximately \$1,200 a month to \$957 a month. Single women with disabled children—we’ve heard questions asked in this Legislature—I don’t know what to tell them. I direct them to the local food bank. Most of them don’t have cars. Heaven forbid they can afford a car. So when the member stands and says everybody wants to work, sure they want to work, and they need child care, they need supports and they need assistance to help keep disabled children out of institutions.

1730

Let me tell you about a gentleman who came—actually, two; I’m going to just tell you two stories. One man came to see me and since he arrived in this country three years ago he has worked every day. There has not been one day that he hasn’t worked. He works as a security guard for \$7 an hour. He has been looking for three years for a better job. He has three children and a wife. You cannot possibly support a family of five on \$7 an hour. The first thing he said to me was, “Can you help me find a better job?” The second thing he said to me is: “How am I going to survive? I can’t support my family. I was receiving a supplement. My wife went out to get a part-time job, and 100% of her earnings are deducted.”

Where is the incentive to give people a hand up, to help people and support them, people who want to work, who are looking for a better job?

I wanted to put this story and others. Another man: He came here as a convention refugee. He’s paying the federal government \$75 a month in return for them having advanced his air fare. He wants to work. He is 60 years old. He fled a country where his life was in danger and he came here to build a better life. He has no Canadian experience, and he said: “I was excited about the government’s workfare program because I would have a job, I would get Canadian experience and I would earn money. How am I going to survive? I don’t have a job. I have no

Canadian experience. I’m 60 years old and I came here to build a better life and flee a country where my life was endangered and now the rug has been pulled out from under me and my family. How are we going to survive?” He is living in a very modest apartment, but his rent is 60% of the money coming in from social assistance.

These are the stories of real people, real faces. As you consider your spending priorities, as you consider all that, tell me how you can justify a 30% cut in the income tax rate to the wealthiest in our society, to those who have jobs, to those who are paying income tax. I agree, nobody likes to pay tax and everybody feels they pay too much in taxes. I don’t like paying taxes. But how do you justify that? What do you say to the people who come to your constituency offices with stories like that? What do you tell them: “We’re giving a tax cut. Stay tuned. Soon it’ll be better for you,” when everybody knows your tax cut combined with cutting government expenditures is actually slowing economic growth?

Your own revolutionary document said that your cuts in spending and taxes are having a drag on the economy. People cannot wait for jobs. People want those jobs. You haven’t provided any new job opportunities. In fact, my fear is that many of the things that will be announced in the economic statement called “budget” next week will make it more difficult for people to get jobs and will cause massive job layoffs across this province. What most people don’t realize is that almost every nickel of government expenditure is income for somebody. Whether it’s in the hospitals or the municipalities or the colleges or the school boards, you fund services that are provided by people, and as you cut those services, people will be laid off and services will be reduced. That’s the reality. Don’t kid yourselves.

I’m not going to continue in this vein; I could do so for a long time. There will be other opportunities to speak in this House. I did want to take this opportunity in my time remaining to put on the record some of the comments I wanted to make on the consent and advocacy legislation that I may not have time for when we resume debate on Monday.

I received in my office a brown envelope. I don’t know who it was from. I suspect it was from one of those organizations that’s feeling intimidated. We have been told there is a chill following statements by some of the members’ and in fact some of the ministers’ suggestions. I’m not saying it’s valid, and I hope it’s not, but there are organizations that are afraid to speak up for fear that they will be targeted for greater cuts or further cuts or that their organizations will no longer be supported by the government if they criticize.

I received this, and I’d like, if I can, to have a little leniency while I read into the record the questions and comments that were sent to my office in a brown envelope by one of those fearful organizations. We will have significant time at committee and I would hope that the government would address the concerns. I want to say at the outset that while I share some of the concerns in this letter, I do not share them all. I won’t take the time to stop and point out; I will, just for the record, include this.

It's under the headline of "Questions." It says:

"General concern that given the complexity of the proposed legislation, the tremendous impact it will have on the lives of many of the citizens of this province and the radical departure from the current legislation with the emphasis on autonomy and the requisite checks and balances needed, the government appears to be insensitive and not to be ready for the impact of these changes or the problems which are sure to unfold.

"Re: Consent to Treatment Act/Health Care Consent Act:

"(1) Under the current consent-to-treatment legislation, persons who are found incapable of consenting to a treatment are entitled to be advised of the right to challenge that finding. They are also provided with assistance in applying for a review of the findings and in contacting a lawyer if such assistance is requested.

"Under the proposed legislation, all rights to this advice and assistance have been eliminated.

"What measures will be in place to ensure that persons who have been found incapable of making decisions about their treatment will have the opportunity to challenge such a finding?

"(2) The proposed legislation invests all decision-making authority to health practitioners and substitute decision-makers while removing the rights of patients to be informed of the availability of a remedy and the opportunity for assistance.

"What measures will be in place to ensure that the rights of patients will not be lost in this legislative shift of power?

"(3) The proposed legislation states that one of the purposes is to promote communication between doctors and patients. At the same time, it allows doctors considerable latitude in making decisions without consultation.

"What measures will be in place to ensure that communication between doctor and patient will in fact be promoted under the proposed scheme?

"Re: CTA, SDA and MHA"—that is, the Consent to Treatment Act, the Substitute Decisions Act and the Mental Health Act—"Proposed Legislation.

"(4) Under the current legislation, all communities in the province are provided with timely, responsive and cost-efficient information regarding the rights of vulnerable people and the remedies available to them should they be subject to adverse findings of their decision-making capabilities.

"Under the proposed legislation, all communities will lose this service, with the exception of limited services provided in psychiatric facilities.

"What measures will be in place to ensure that persons in the general community will be entitled to rights and remedies?

"What measures will be in place to ensure that people who have been subjected to proceedings under the current legislation, ie, statutory guardianship, powers of attorney etc, will maintain their current rights that were in effect at the time the proceeding occurred?

"What measures will be in place to ensure that persons outside psychiatric facilities will be advised of their rights under the Mental Health Act? (The proposed legislation appears to exclude them.)

1740

"Re: SDA

"(5) Under the current legislation, a number of checks and balances are provided to ensure that vulnerable people are not left to the mercy of those who do not have their best interests at heart. Statutory guardianship, powers of attorney and court-appointed guardianships are all subject to a number of provisions to ensure that property and personal care issues are not abused.

"Under the proposed legislation, most of these checks and balances have been removed. Statutory guardianship can no longer be refused or terminated by the vulnerable person. Powers of attorney for personal care can be exercised with no requirement to show that the vulnerable person is in fact incapable. It is no longer necessary to provide independent advice to an alleged vulnerable person who is the subject of a court-appointed guardianship application. What measures will be in place to maintain some balance in the proceedings?"

As I say, this was sent to my office and I wanted to make sure that it got on the record. I knew I wouldn't have time when I did my summation of the opening remarks.

I have received the fact sheet from the Ministry of Citizenship, Culture and Recreation regarding the Advocacy Act. The first thing I want to say about that is that I think it's absurd for that act to have been placed at the Ministry of Citizenship, Culture and Recreation. This is clearly health legislation.

During the time I was in cabinet I had wonderful battles with Ian Scott over where this legislation should be placed, whether it should be under the Attorney General or under the Ministry of Health. My concern was always that if it was with the Attorney General it would be far too legalized and procedure-oriented and bureaucratic and intrusive, as opposed to being streamlined and assistive to individuals.

I still believe that located somewhere near and around the purview of the Ministry of Health is the appropriate place for this kind of legislation because it does deal with health policy, findings of capacity and capability, and it has to do with the rights of individuals primarily as they refer to health treatment or the state having the power to impose treatment via a provider. It takes away individuals' rights to refuse treatment. I just wanted to make the point that I hope that any future legislative amendments on advocacy will be included in the health care consent act as opposed even to the Substitute Decisions Act, and I will be considering placing amendments that would expand the opportunity for advocacy as part of the consent legislation.

The reason I'm going to do that is that the government appears to be making a commitment. I agree with them that the Advocacy Commission, which was established in 1994 at a cost of \$18 million, was ridiculous. The scope was far too broad, it was very expensive, and I went

through all of that yesterday. Our policy was that it would be abolished. However, our policy was and is to recognize the need for advocacy services, and the government has recognized that as well.

They say: "Our goal is to work with groups to better coordinate their efforts and make the best use of collective resources and expertise. Priority will also be given to dealing with abuse and neglect of vulnerable adults." They also say, "We will provide details once we have determined the approach that best supports the autonomy and independence of vulnerable people and are satisfied that that approach meets our commitment to deliver services in a sensitive, responsible and cost-effective manner." That's in the fact sheet in response to the question, when is the government going to release its new approach to advocacy?

The point I want to make is that I hope this government will not wait until the legislation on consent to treatment and substitute decisions and the repeal of the existing advocacy law is a fait accompli before it comes forward with an approach to advocacy. We've had a long history in this province. We all know that advocacy is necessary.

Right now, the Psychiatric Patient Advocate Office, which was established under a former Conservative government in the Ministry of Health, has had tremendous success in advocating for the appropriate needs of patients in provincial psychiatric hospitals. There is nothing in place for those patients found incapable outside of a provincial psychiatric hospital, such as a community hospital. There is nothing in place to deal with elder abuse or vulnerable adults out in the community who may be being abused, not just by providers of service, and we know that has happened in the past. The horror stories of abuse in provincial institutions is something we unfortunately have had to witness in newspaper accounts over the past few years.

Advocacy and support for vulnerable people, whether in the community or in an institution, is something I feel very strongly about. I don't think it has to be \$18 million. In fact, the proposal I began to put forward during my remarks and which I will continue on Monday I estimate could be accomplished for \$17 million less than the Advocacy Commission costs, for about \$1 million. That's a lot of money, but not when you consider the \$18 million the NDP was proposing for the Advocacy Commission.

That would go a long way to providing coordination, education and support for individuals, both consumers or patients and providers, so we could see that vulnerable people's needs were being met. I would urge the government to do that by amendment as this legislation goes through the committee process.

As my time is almost up, I'm not going to proceed with any further discussion of the Advocacy Act. This is a motion for supply. I just want to leave my final words with this government and say to them, think very carefully about your spending plans and think very carefully about the impact of a 30% cut in the rate of income taxes in this province and the impact your spending cuts may have on people, whether they are vulnerable, unemployed, or the young, those whom we will depend upon for future

prosperity in this province. I urge you to reconsider and indeed to use some common sense.

I would be here to offer advice and solutions and find better ways to deliver services. I certainly am not one who has been wedded to the status quo. I recognize that things must change and can be changed for the better, but I urge you to abandon your cuts across the board and I particularly urge you to think about what massive cuts will mean to the transfer partners and the implications for your constituents and mine across this province.

The Speaker: Comments and questions? Further debate?

Mr Hampton: In the short time remaining, I would like to make a few comments, and I will try to centre them on the general fiscal direction the government has taken, since I think it ties to this motion for supply.

I don't want to be too controversial, but I think some of the things the government has done have to be remarked upon and have to be given some critical study. One of the things the government is going to try to say to folks across the province, especially when it launches its financial statement next week, is that our deficit and our debt have reached crisis proportion. They'll use this argument about crisis proportion to justify the kinds of cuts that are being planned and will be implemented in the next few months.

I think it would do us well to look at some of the relative statistics from other jurisdictions. I actually asked the library to do some research for us on this and I want to look at some of those statistics.

First is the government of Canada's deficit and debt situation. I say this for Conservative members because they need to know this. When the Brian Mulroney government, a Conservative government federally, left Ottawa in 1992, it left behind a deficit of \$42 billion. It left behind as well—

Mr Jerry J. Ouellette (Oshawa): It was 1993.

Mr Hampton: Yes, you're right, it is 1993. Sorry. In the fall of 1993 when they left, they left behind a total debt of over \$550 billion.

1750

If this government is trying to pretend that our deficit and debt figures are a major crisis, then what Brian Mulroney left behind in Ottawa is a monstrous disaster. If you try to make the argument that these draconian cuts have to happen, that there are no alternatives, then the government of Canada was and is beyond redemption. So I use that just to provide some comparative statistics.

The fact of the matter is that other jurisdictions, banking institutions, financial institutions, do not view Canada's financial situation as somehow being a horrendous disaster; they say there's a problem. We acknowledge there's a problem in Ontario, a problem that arrived here partly because of some of the very negative impacts of the free trade agreement, and they hurt the Golden Triangle in particular. The worldwide recession that hit in 1990-92 hurt this province. The withdrawal of federal funding, particularly as it affects health care and as it affects social services and as it affects post-secondary education, has very much hurt Ontario.

There is a problem, though there is not a crisis. There is certainly not a crisis that would justify the kinds of draconian cuts that this government wants to impose.

To take the comparisons a bit further, I asked the people in the library to look at the figures for Saskatchewan. As you know, Saskatchewan had a Conservative government, and that Conservative government had a fiscal philosophy much like this Conservative government. If you read Grant Devine's speeches, over the nine years he was Premier of Saskatchewan he gave very large tax cuts to high-income families, gave very large tax cuts to the oil industry, literally strangled the public sector, and generally tightened the screws on working people and lower-income families.

The interesting thing is that in the fall of 1991 when the Devine government, the Conservative government, was voted out in Saskatchewan, even though that province has a population of less than a million people the accumulated deficit, end of year, they left behind was over \$3.6 billion. In fact, it was approaching \$3.7 billion. The debt they left behind in the province of only one million people was over \$15 billion.

Just do some simple multiplication. Multiply by 11 to get the approximate population of Ontario. That would have meant a \$3.7-billion deficit in Saskatchewan multiplied by 11 would have been over a \$40-billion deficit in Ontario. That's the comparative figure. A \$15-billion debt in Saskatchewan at that time, multiplied by 11, would be over a \$150-billion debt in this province.

I cite those statistics just to give some comparative data. By this government's arguments, there would have been an absolute disaster with debt and deficit figures that high. In fact, financial institutions, bond rating agencies and the New Democratic government that took over indicated that, yes, there's a very serious problem and, yes, we have to take some serious steps, but there is not a horrendous crisis that would justify the kind of slashing and burning of important health care and education services that this government now wants to undertake.

Looking at the current situation for the government of Canada in terms of its debt and its annual deficit, looking historically back at Saskatchewan and again comparing the relative populations, their situations were much more serious than our own, yet people looked at it and said, "It's a problem, not a crisis." This government has, I would suggest, a real credibility problem in terms of trying to suggest to people here that: "Oh, my God, there's a horrendous crisis. We must attack health care. We must attack education. We must attack the poor." It just doesn't add up.

That takes us to the next issue. The fact is that what is really driving this government's fiscal direction is its tax cut. In fact, the Dominion Bond Rating Service, when they looked at your fiscal plan, said that. They said yes, there is a deficit problem—and there are ways to approach that deficit problem—but they said this government's major problem was the magnitude of the tax cut which is promised. They say the tax cut will require at least a \$5-billion cut to health care, education and other services to find the money for the tax cut, and perhaps even up to \$6

billion in cuts to health care and education to find the money for the tax cut.

I simply want to point out to the government that, yes, you can repeat the mantra. You can say to people that what is a financial problem in terms of the deficit and the debt is a huge crisis, and you can repeat that and repeat that and then say, "Because of this, we must cut health care, we must cut education and we must tighten the screws on the poorest and most unfortunate in the province." You can say that as much as you want. The comparative figures, looking at other jurisdictions, just don't bear that out.

What you've got is a problem. We recognized it as a government when we took steps like the social contract, when we started cutting some of the expenditure in 1993-94 and into 1995. What you've got is a problem. But what is causing you fiscal pain and what is going to cause people in Ontario in communities real pain in terms of loss of health care services, loss of education services, loss of community services and loss of jobs is your ideological conviction, your ideological attachment to a tax cut for the wealthiest people in Ontario.

Before you get yourself into more trouble and before you hurt an awful lot of people in this province, look at where your strategy has been tried before. Look at the results in Saskatchewan. Look at Ronald Reagan's famous tax cut in the United States and what it left behind in the United States. It is still not too far down the path to look at some of the historical examples—

The Speaker: Order.

Mr Hampton: Speaker, it's 6 o'clock and I know we have a vote—

The Speaker: No, it's just that there are an awful lot of conversations going on in the House and I can hardly hear the member. Order, please.

Mr Hampton: Thank you, Speaker. I was going to say it's almost 6 of the clock, but since you have correctly given me the exact time, I will make use of it.

It's still not too late to learn from some of the examples of other jurisdictions. The fact is that Ronald Reagan's strategy of the big tax cut did not work for him. In fact, Reagan saw a little way down the road that it wasn't working and decided that he was going to spend more. So Reagan got into what has finally been called voodoo economics, and you know the result of that.

1800

I'd invite you to sit down and look at Saskatchewan, because in many ways your government's direction is more like the Grant Devine Conservative government's direction in Saskatchewan than anywhere else. Devine believed in the very large tax cuts which he gave away. Devine believed in selling off whole chunks of the public sector and giving away whole chunks of the public sector, which they did. Devine believed in really tightening the screws, particularly on working families and lower-income families, which they did. There was a mass exodus of jobs from the province. The debt and deficit situation climbed higher than ever. It has taken some really tough steps by the succeeding government to try to turn that around.

Hopefully, as I say, before we proceed too far down the track, you will have a careful second look at some of the historicals that are lying around, and I would point out I think frankly your tax cut is misguided and will take you in the wrong direction, and hopefully you'll avoid that.

Speaker, as I said, it is close to 6 of the clock. It is Thursday and I know members want to vote and get on with other work.

The Speaker: Mr Eves has moved that the Minister of Finance be authorized to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing December 1, 1995, and ending April 30, 1996. Such payments to be charged to the proper appropriation following the voting of supply.

Is it the pleasure of the House that this motion carry?

Those in favour, say "aye."

Those opposed, say "nay."

In my opinion, the ayes have it.

I declare the motion carried.

SOCIAL ASSISTANCE

The Speaker (Hon Allan K. McLean): Pursuant to standing order 34(b), the motion to adjourn the House is deemed to have been made.

Mrs McLeod has given notice of her dissatisfaction with an answer given by the Minister of Community and Social Services respecting the cuts in family counselling agencies. The member has up to five minutes and the minister or the parliamentary assistant will have up to five minutes for a reply.

Mrs Lyn McLeod (Leader of the Opposition): I want to preface the five minutes I have to restate my question and my concern that was posed to the minister some time earlier by indicating very clearly to the minister that I do not consider this, Minister, to be a gotcha exercise.

I want you to know that I am genuinely disturbed at the seeming unawareness that you've demonstrated in this House of the nature of the cuts that you're forcing or of the impact of those cuts on programs and on people in communities across the province. I am deeply concerned about the impact on vulnerable people and on the loss of programs and services that have taken years to build and cannot readily be replaced.

Your answer to my question that led to my dissatisfaction related to the cancellation of funding for counselling programs in family counselling agencies across the province, in fact \$3.9 million in funding cuts to some 40 community agencies that provide counselling.

I used two specific examples, one being an example from my home town in Thunder Bay, where the family services agency experienced a \$97,000 cut, which eliminated all of the funding for general counselling programs of that agency. The second example was a \$310,000 cut to the counselling programs offered by the Family Services Association of Metropolitan Toronto. Those are just two specific examples of the cuts, the \$3.9 million in cuts that have been made to 40 community agencies across the province.

The minister in response kept saying that they want programs, this government wants programs to help people get off welfare and back to work, and that was very frustrating for me, because the programs that are being cut, the programs that I was asking him about in this question, are long-established community programs that do provide counselling to welfare recipients, to people who are low-income earners, in order that they can survive, that they can manage and hopefully that they can indeed get work and establish independent lives. I had to wonder, as the minister said in answer to my question about why they're cutting these programs, "We just want to help people get off welfare and back to work," how he could possibly give that as an answer when he's cutting the very programs that help people get back to work.

The minister also said to me that they want to cut, in their cost-cutting exercise, "inherited programs" that are costly training programs when the training isn't related to the work. Now, that may be a fine sentiment, but it had absolutely nothing to do with the question that I had asked, because the question I asked was about cuts to community programs that provide counselling.

My question had nothing to do with training programs, and indeed training programs are not even the responsibility of this minister. Counselling programs in community agencies across the province are very much the responsibility of this minister, and again I am concerned, when you ask a minister responsible about counselling programs and he answers you about training programs, that he is very seriously unaware of the cuts that his ministry is making and the impact those cuts will have.

In fact, I wonder whether this minister has any idea at all of what counselling programs are and why indeed they're valuable. We have seen them cut counselling programs for women and children who are leaving abusive situations and the minister says, "We are protecting our core services." Surely, as we have said time and time again in this House, counselling services that help women and children leave abusive situations and establish independent lives are a core service, and yet that is being cut and not protected as the minister has said.

We have not had time, even with the number of question periods we've had, to raise all of the specific areas where counselling programs in communities are being cut by this ministry, but I suspect that virtually all of the programs that are being carried out by community agencies providing counselling are in fact being cut.

Just to indicate to the minister, under vote 702, item 04, of his ministry's estimates, we're aware that ethnoracial community-based organizations' funding has been cut. We have already mentioned the fact that any counselling services contracted to municipalities and community agencies have been cut. We're aware that support services that are provided through Indian friendship centres have been cut, so that there is no counselling there. We're aware, sadly aware, that all of the services that are provided by community and neighbourhood support agencies have been lost because of the cut to their funding.

Issue after issue after issue of counselling services provided by community agencies that will disappear when

the cuts being brought into place by this minister take effect—the minister says he is redefining the core services of his ministry. I suggest that that has nothing to do with it, that this is a blind, cost-cutting exercise being carried out at the expense of the most vulnerable in order to give a tax cut to the most well-to-do in our society. I suggest that there will be virtually no core services left when this minister finishes—

The Speaker: Time has expired. The Minister of Community and Social Services, for up to five minutes.

Hon David H. Tsubouchi (Minister of Community and Social Services): The honourable Leader of the Opposition is questioning my government's commitment to help people break the cycle of dependency on welfare and return to the workforce.

First of all, let me assure this House and the people of this province that we will not waver from our commitment to get people working. That commitment, first made over a year and a half ago, was founded on the belief that people on welfare want to work and better their lives, people who have been trapped by a bad system, a system made worse by the policies of both the Liberal and the NDP governments.

Since our election victory, the Leader of the Opposition has been in deep denial. She avoids acknowledging the reality that we are on a collision course with our creditors. She appears to have abandoned her red book commitment that government spending must be cut by more than \$4 billion. While in government, her party and the NDP also failed to address the growing problems. Instead, they let the debt of this province spin out of control. Thanks to their spending sprees, we're now paying \$1 million an hour for the province's debt interest. Just imagine all the programs we could fund if the Liberals and the NDP had brought their spending under control instead of continuing to waste taxpayers' borrowed dollars.

They spent \$40 billion over the last 10 years on social assistance alone. Costs escalated by more than 300% over the same period. What do they have to show for it? A welfare caseload that has increased by a staggering 168%, over 1.2 million now dependent on welfare in this province, trapped in a cycle of hopelessness and despair.

The size of the debt has kept growing during the past decade. In the last five years alone the province had to borrow almost \$50 billion. Part of that borrowed money was spent on Jobs Ontario. Even the Liberals agreed Jobs Ontario was a dismal failure; the honourable member promised in her red book to scrap it. This government cancelled Jobs Ontario shortly after taking office. It simply did not make sense to continue pouring millions of taxpayers' dollars into a program that was not working.

As I stated a couple of weeks ago in the House, there is nothing more disheartening than sinking taxpayers' borrowed dollars into programs that do not produce results and do not lead people back to the workforce. Even the

red book acknowledges that: "The Ontario government spends hundreds of millions of dollars each year on training. It's time that money was spent in a way that produces results."

At the same time, we've had to make other, more difficult decisions because of Ontario's debt and cuts by the federal Liberals. They left us with no choice. The federal government—

Interjections.

The Speaker: The member for Brantford isn't in his seat.

Hon Mr Tsubouchi: —used to fund 50% of my ministry's social assistance budget, but their federal Liberal cousins have reduced the level of spending to 29%, and future prospects for federal funding look worse. With dwindling federal funds and a provincial debt of \$8.7 billion, we have no choice but to curb our spending so we can protect our core services for people who really need our help. The status quo for the last 10 years has not worked. It's unacceptable to taxpayers and unacceptable to over 1.2 million people trapped in the welfare system. That's why we are committed to a major reform of the welfare system.

Over the past few months we have laid the groundwork, we have made the following changes to protect the system for people with genuine needs: We have adjusted the welfare rates to 10% above the average of the other provinces; introduced an incentive for people to get back to work by allowing people to earn back the difference between the old and new rates; tightened eligibility rules to make sure that only people who truly need our help get it; improved anti-fraud measures, including introducing a 1-800 anti-fraud line. But these measures only laid the foundation for a fundamental restructuring and reform of Ontario's social assistance system.

The cornerstone of our vision for welfare reform is mandatory workfare. We are currently looking at many options to develop a made-in-Ontario solution that requires able-bodied people to work for their welfare benefits. Our workfare program will also include training and educational programs that lead to real jobs. The failure of past governments' policies was best expressed by the Liberal member for Hamilton East a couple of years ago, when he said: "We're spinning our wheels. We're retraining but we're just ending up with higher-educated, better-trained unemployed."

It's time to stop spinning our wheels and give people a hand up. Our mandatory workfare program will give people that opportunity to break the cycle of dependency on welfare and become self-sufficient.

The Speaker: There being nothing further to debate, the motion to adjourn is deemed to have been carried. This House will stand adjourned until 1:30 of the clock next Monday.

The House adjourned at 1811.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Lt Col The Hon / L'hon Henry N.R. Jackman CM, KStJ, BA, LLB, LLD
Speaker / Président: Hon / L'hon Allan K. McLean
Clerk / Greffier: Claude L. DesRosiers
Senior Clerk Assistant and Clerk of Journals / Greffier adjoint principal et Greffier des journaux: Alex D. McFedries
Clerk Assistant and Clerk of Committees / Greffière adjointe et Greffière des comités: Deborah Deller
Sergeant at Arms / Sergent d'armes: Thomas Stelling

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma	Wildman, Bud (ND)	Hastings-Peterborough	Danford, Harry (PC)
Algoma-Manitoulin	Brown, Michael A. (L)	High Park-Swansea	Shea, Derwyn (PC)
Beaches-Woodbine	Lankin, Frances (ND)	Huron	Johns, Helen (PC)
Brampton North / -Nord	Spina, Joseph (PC)	Kenora	Miclash, Frank (L)
Brampton South / -Sud	Clement, Tony (PC)	Kingston and The Islands / Kingston et Les Îles	Gerretsen, John (L)
Brant-Haldimand	Preston, Peter L. (PC)	Kitchener	Wetlaufer, Wayne (PC)
Brantford	Johnson, Ron (PC)	Kitchener-Wilmot	Leadston, Gary L. (PC)
Bruce	Fisher, Barb (PC)	Lake Nipigon / Lac-Nipigon	Pouliot, Gilles (ND)
Burlington South / -Sud	Jackson, Hon / L'hon Cameron (PC) Minister without Portfolio (Workers' Compensation Board) / ministre sans portefeuille, ministre responsable de la Commission des accidents du travail	Lambton	Beaubien, Marcel (PC)
Cambridge	Martiniuk, Gerry (PC)	Lanark-Renfrew	Jordan, Leo (PC)
Carleton	Sterling, Hon / L'hon Norman W. (PC) Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce	Lawrence	Cordiano, Joseph (L)
Carleton East / -Est	Morin, Gilles E. (L)	Leeds-Grenville	Runciman, Hon / L'hon Robert W. (PC) Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels
Chatham-Kent	Carroll, Jack (PC)	Lincoln	Sheehan, Frank (PC)
Cochrane North / -Nord	Wood, Len (ND)	London Centre / -Centre	Boyd, Marion (ND)
Cochrane South / -Sud	Bisson, Gilles (ND)	London North / -Nord	Cunningham, Hon / L'hon Dianne (PC) Minister of Intergovernmental Affairs, minister responsible for women's issues / ministre des Affaires intergouvernementales, ministre déléguée à la Condition féminine
Cornwall	Cleary, John C. (L)	London South / -Sud	Wood, Bob (PC)
Don Mills	Johnson, Hon / L'hon David (PC) Chair of the Management Board of Cabinet / président du Conseil de gestion	Markham	Tsubouchi, Hon / L'hon David H. (PC) Minister of Community and Social Services / ministre des Services sociaux et communautaires
Dovercourt	Silipo, Tony (ND)	Middlesex	Smith, Bruce (PC)
Downsview	Castrilli, Annamarie (L)	Mississauga East / -Est	DeFaria, Carl (PC)
Dufferin-Peel	Tilson, David (PC)	Mississauga North / -Nord	Snobelen, Hon / L'hon John (PC) Minister of Education and Training / ministère de l'Éducation et de la Formation
Durham Centre / -Centre	Flaherty, Jim (PC)	Mississauga South / -Sud	Marland, Margaret (PC)
Durham East / -Est	O'Toole, John R. (PC)	Mississauga West / -Ouest	Sampson, Rob (PC)
Durham West / -Ouest	Ecker, Janet (PC)	Muskoka-Georgian Bay / Muskoka-Baie-Georgienne	Grimmett, Bill (PC)
Durham-York	Munro, Julia (PC)	Nepean	Baird, John R. (PC)
Eglinton	Saunderson, Hon / L'hon William (PC) Minister of Economic Development, Trade and Tourism / ministre du Développement économique, du Commerce et du Tourisme	Niagara Falls	Maves, Bart (PC)
Elgin	North, Peter (Ind)	Niagara South / -Sud	Hudak, Tim (PC)
Essex-Kent	Hoy, Pat (L)	Nickel Belt	Laughren, Floyd (ND)
Essex South / -Sud	Crozier, Bruce (L)	Nipissing	Harris, Hon / L'hon Michael D. (PC) Premier and President of the Executive Council / premier ministre et président du Conseil exécutif
Etobicoke-Humber	Ford, Douglas B. (PC)	Norfolk	Barrett, Toby (PC)
Etobicoke-Lakeshore	Kells, Morley (PC)	Northumberland	Galt, Doug (PC)
Etobicoke-Rexdale	Hastings, John (PC)	Oakville South / -Sud	Carr, Gary (PC)
Etobicoke West / -Ouest	Stockwell, Chris (PC)	Oakwood	Colle, Mike (L)
Fort William	McLeod, Lyn (L) Leader of the Opposition / chef de l'opposition	Oriole	Caplan, Elinor (L)
Fort York	Marchese, Rosario (ND)	Oshawa	Ouellette, Jerry J. (PC)
Frontenac-Addington	Vankoughnet, Bill (PC)	Ottawa Centre / -Centre	Patten, Richard (L)
Grey-Owen Sound	Murdoch, Bill (PC)	Ottawa East / -Est	Grandmaitre, Bernard (L)
Guelfh	Elliott, Hon / L'hon Brenda (PC) Minister of Environment and Energy / ministre de l'Environnement et de l'Énergie	Ottawa-Rideau	Guzzo, Garry J. (PC)
Halton Centre / -Centre	Young, Terence H. (PC)	Ottawa South / -Sud	McGuinty, Dalton (L)
Halton North / -Nord	Chudleigh, Ted (PC)	Ottawa West / -Ouest	Chiarelli, Robert (L)
Hamilton Centre / -Centre	Christopherson, David (ND)	Oxford	Hardeman, Ernie (PC)
Hamilton East / -Est	Agostino, Dominic (L)	Parkdale	Ruprecht, Tony (L)
Hamilton Mountain	Pettit, Trevor (PC)		
Hamilton West / -Ouest	Ross, Lillian (PC)		

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Parry Sound	Eves, Hon / L'hon Ernie L. (PC) Deputy Premier, Minister of Finance, government House leader / vice-premier ministre, ministre des Finances, leader parlementaire du gouvernement	Scarborough North / -Nord	Curling, Alvin (L)
Perth	Johnson, Bert (PC)	Scarborough West / -Ouest	Brown, Jim (PC)
Peterborough	Stewart, R. Gary (PC)	Simcoe Centre / -Centre	Tascona, Joseph N. (PC)
Port Arthur	Gravelle, Michael (L)	Simcoe East / -Est	McLean, Hon / L'hon Allan K. (PC) Speaker / Président
Prescott and Russell / Prescott et Russell	Lalonde, Jean-Marc (L)	Simcoe West / -Ouest	Wilson, Hon / L'hon Jim (PC) Minister of Health / ministre de la Santé
Prince Edward-Lennox- South Hastings / Prince Edward-Lennox- Hastings-Sud	Fox, Gary (PC)	Sudbury	Bartolucci, Rick (L)
Quinte	Rollins, E.J. Douglas (PC)	Sudbury East / -Est	Martel, Shelley (ND)
Rainy River	Hampton, Howard (ND)	Timiskaming	Ramsay, David (L)
Renfrew North / -Nord	Conway, Sean G. (L)	Victoria-Haliburton	Hodgson, Hon / L'hon Chris (PC) Minister of Natural Resources, Minister of Northern Development and Mines / ministre des Richesses naturelles, ministre du Développement du Nord et des Mines
Riverdale	Churley, Marilyn (ND)	Waterloo North / -Nord	Witmer, Hon / L'hon Elizabeth (PC) Minister of Labour / ministre du Travail
S-D-G & East Grenville / S-D-G et Grenville-Est	Villeneuve, Hon / L'hon Noble (PC) Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales, ministre délégué aux Affaires francophones	Welland-Thorold	Kormos, Peter (ND)
St Andrew-St Patrick	Bassett, Isabel (PC)	Wellington	Arnott, Ted (PC)
St Catharines	Bradley, James J. (L)	Wentworth East / -Est	Doyle, Ed (PC)
St Catharines-Brock	Froese, Tom (PC)	Wentworth North / -Nord	Skarica, Toni (PC)
St George-St David	Leach, Hon / L'hon Al (PC) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement	Willowdale	Harnick, Hon / L'hon Charles (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Sarnia	Boushy, Dave (PC)	Wilson Heights	Kwinter, Monte (L)
Sault Ste Marie / Sault-Sainte-Marie	Martin, Tony (ND)	Windsor-Riverside	Cooke, David S. (ND)
Scarborough-Agincourt	Phillips, Gerry (L)	Windsor-Sandwich	Pupatello, Sandra (L)
Scarborough Centre / -Centre	Newman, Dan (PC)	Windsor-Walkerville	Duncan, Dwight (L)
Scarborough East / -Est	Gilchrist, Steve (PC)	York Centre / -Centre	Palladini, Hon / L'hon Al (PC) Minister of Transportation / ministre des Transports
Scarborough-Ellesmere	Mushinski, Hon / L'hon Marilyn (PC) Minister of Citizenship, Culture and Recreation / ministre des Affaires civiques, de la Culture et des Loisirs	York East / -Est	Parker, John L. (PC)
		York Mills	Turnbull, David (PC)
		York-Mackenzie	Klees, Frank (PC)
		York South / -Sud	Rae, Bob (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
		Yorkview	Sergio, Mario (L)

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

Continued from overleaf

TABLE DES MATIÈRES

Jeudi 23 novembre 1995

AFFAIRES D'INTÉRÊT PUBLIC

ÉMANANT DES DÉPUTÉS

Loi de 1995 modifiant la Loi

électorale, projet de loi 2,

M. McGuinty

Deuxième lecture 970

M. Bisson 972

Adoptée 978

QUESTIONS ORALES

Services en français

M. Grandmaître 990

M. Villeneuve 990

PREMIÈRE LECTURE

Charte de 1995 des droits des

victimes d'actes criminels,

projet de loi 23, *M. Harnick*

Adoptée 996

Loi de 1995 modifiant des lois sur la

protection de l'environnement,

projet de loi 24, *M. Wildman*

Adoptée 996

CONTENTS

Thursday 23 November 1995

PRIVATE MEMBERS' PUBLIC BUSINESS

Freedom of information, private	
member's notice of motion number 4,	
<i>Mrs Munro</i>	963, 970
Mr Curling	964
Mr Silipo	965
Mr Tilson	966
Mrs Papatello	967
M. Bisson	968
Mr Froese	969
Agreed to	978
Election Amendment Act, 1995,	
Bill 2, <i>Mr McGuinty</i> , second reading,	
Mr McGuinty	970, 977
Mr Bisson	972
Mr Tilson	973
Mr Patten	974
Mr Silipo	975
Mr Shea	976
Ms Castrilli	976
Mr Colle	977
Mr Klees	977
Agreed to	978

MEMBERS' STATEMENTS

Ontario drug benefit program	
Mr Sergio	978
Community health services	
Mr Martin	978
Social assistance	
Mr Tascona	978
Community services	
Mr Miclash	979
Municipal planning	
Ms Churley	979
Police bravery awards	
Mr Pettit	979
Festival of Lights	
Mr Bartolucci	979
Community services	
Ms Martel	980
Cardinal Newman Catholic	
Secondary School	
Mr Doyle	980

STATEMENTS BY THE MINISTRY AND RESPONSES

Academic testing	
Mr Snobelen	980
Mr Patten	982
Mr Wildman	983
Mr Rae	983
Victims' Bill of Rights	
Mr Harnick	981
Ms Castrilli	982
Mrs Boyd	983
Salary disclosure	
Mr Eves	981

ORAL QUESTIONS

Hospital restructuring	
Mrs McLeod	983
Mr Wilson	983
Ontario drug benefit program	
Mrs McLeod	984
Mr Wilson	985
Social assistance for disabled	
children	
Mr Rae	985
Mr Tsubouchi	986
Social assistance	
Mr Rae	986
Mr Tsubouchi	986, 988
Mr Agostino	988
Child care	
Mrs Papatello	987
Mr Tsubouchi	987
Mr Wildman	989
Mr Snobelen	989
Toronto Boys' Home	
Ms Churley	987
Mr Tsubouchi	987
College of Teachers	
Mr Beaubien	988
Mr Snobelen	988
Workers' Compensation Board	
Mr Galt	989
Mr Jackson	989
Youth services	
Mr Hampton	990
Mr Tsubouchi	990
Correctional facility employees	
Mr Stewart	991
Mr Runciman	991
Air quality	
Mr McGuinty	991
Mrs Elliott	991
Children's aid societies	
Mr Cooke	992
Mr Tsubouchi	992

MOTIONS

Standing committee on government	
agencies	
Mr Eves	993
Agreed to	993
House sittings	
Mr Eves	993, 994
Mrs Caplan	993, 994
Mr Cooke	994
Agreed to	994

PETITIONS

Child care	
Mr Ruprecht	994
Mr Wildman	994
Ms Castrilli	995

Cardinal Newman Catholic Secondary School

Mr Doyle	995
Hospital restructuring	
Mr Colle	995
Junior kindergarten	
Mr Silipo	995
Services for abused women	
Mrs Boyd	995
Amalgamation of school boards	
Mr Miclash	996
Highway safety	
Mr Miclash	996

REPORTS BY COMMITTEES

Standing committee on regulations	
and private bills	
Mr Smith	996
Report adopted	996

FIRST READINGS

Victims' Bill of Rights, 1995, Bill 23,	
<i>Mr Harnick</i>	996
Agreed to	996
City of York Act, 1995, Bill Pr44,	
<i>Mr Colle</i>	
Agreed to	996
Environmental Protection Statute	
Law Amendment Act, 1995, Bill 24	
<i>Mr Wildman</i>	996
Agreed to	996

GOVERNMENT MOTIONS

Interim supply, government notice of	
motion number 4, <i>Mr Eves</i>,	
Mr Colle	997, 1000
Mrs Caplan	1000, 1008, 1009
Mr Wildman	1001, 1005, 1009
Mr Hastings	1005
Mr Gilchrist	1005, 1009
Mr Tilson	1008
Mr Hampton	1013
Debate adjourned	1015

ADJOURNMENT DEBATE

Social assistance	
Mrs McLeod	1015
Mr Tsubouchi	1016

OTHER BUSINESS

Use of question period	
Mr Silipo	992
Mr Cooke	992
Business of the House	
Mr Eves	992
Visitors	
The Speaker	994
Notice of dissatisfaction	
The Speaker	996

Continued overleaf



No. 30

N° 30

ISSN 1180-2987

Legislative Assembly of Ontario

First Session, 36th Parliament

Assemblée législative de l'Ontario

Première session, 36^e législature

Official Report of Debates (Hansard)

Journal des débats (Hansard)

Monday 27 November 1995

Lundi 27 novembre 1995



Speaker
Honourable Allan K. McLean

Président
L'honorable Allan K. McLean

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

Hansard on your computer

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. For a brochure describing the service, call 416-325-3942.

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-7411.

Subscriptions

Subscription information may be obtained from: Sessional Subscription Service, Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur votre ordinateur

Le Journal des débats et d'autres documents de l'Assemblée législative pourront paraître sur l'écran de votre ordinateur personnel en quelques heures seulement après la séance. Pour obtenir une brochure décrivant le service, téléphoner au 416-325-3942.

Renseignements sur l'Index

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-7411.

Abonnements

Pour les abonnements, veuillez prendre contact avec le Service d'abonnement parlementaire, Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311 ou, sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 27 November 1995

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 27 novembre 1995

The House met at 1332.

Prayers.

MEMBERS' STATEMENTS HEALTH CARE FUNDING

Mr Gilles E. Morin (Carleton East): According to a recent Environics Research Group poll, a majority of Ontarians believe that health care should be a high priority for government spending. Nearly three quarters of Ontarians do not support health care cuts.

When will Mike Harris realize that Ontarians deeply value their health care system and wish it improved, not destroyed by his government's senseless Common Sense Revolution? For how long will he continue to assume that he knows what's best for us?

This government is making it a point to antagonize as many people as it possibly can, with the exception of course of its special supporters who eagerly await their 30% tax cut. Now it has targeted the medical community in its own arbitrary and unilateral way.

Mike Harris rejects traditional government thinking. However, traditional and democratic values such as consultation and respect for different views have been, up until recently, an integral part of Ontario politics.

It is high time that this government took its ideological blinders off. Its narrow views and ill-conceived policies are threatening to destroy one of Ontario's most cherished treasures: a health care system that is considered one of the best in the world. Ontarians are talking. Is anyone in this government listening?

WHITE RIBBON CAMPAIGN

Mr Tony Silipo (Dovercourt): Today, I rise in the House to express my party's support for the White Ribbon Campaign which began Saturday, November 25, and runs until December 2.

The White Ribbon Campaign is the largest effort in the world of men and boys working to end violence against women. The campaign began in 1991 here in Canada and has spread to Australia, the United States and Norway.

The white ribbon is a symbol of our deep concern with violence against women. Wearing a white ribbon is a personal pledge never to commit, condone or remain silent about violence against women.

I think it is particularly important for us to be recognizing this campaign at a time when this government is imposing cuts and endangering essential services to survivors of violence and anti-violence education programs, and I hope the government reconsiders some of its positions to date on this score.

While in government, the NDP recognized the importance of programs in its effort to end violence against women. To this effect, the NDP doubled spending on vio-

lence against women and maintained the commitment in the face of very tough fiscal circumstances. We established core funding for women's centres, increased funding for women's shelters, expanded funding for rape crisis centres and created new sexual assault treatment centres.

The main focus of this year's White Ribbon week will be in schools across the country. It is important to discuss the problem of violence in our society and to invite young people to talk about ways to build healthy relationships.

Men must speak out and challenge other men who use violence in their relationship with women. The problem does not stop with physical violence. There are other forms of violence that also need to be dealt with. I would like to remind the members of the House and the public that violence against women is a year-round problem and needs to go beyond this week.

DOWNTOWN FRIENDSHIP CIRCLE

Mr Dave Boushy (Sarnia): I rise today to pay tribute to people like George Shaw of Sarnia and the Lambton Seniors Association. They are behind the Downtown Friendship Circle which is sponsored by eight different churches. It brings a full-course meal and entertainment twice a week, for a small fee and without any government subsidy, to Sarnia seniors who live alone.

I am proud to live in a community that has produced such caring volunteers. I am making this statement because these people deserve to be recognized. They have brought laughter and health to countless seniors. They are true heroes. By reaching out their hands they have helped to build a community of friends. It's my hope that more people become aware of this group, that more people come forward to help, that more seniors take advantage of it.

Sarnia is a big city, but it has never lost its small-town atmosphere because of charitable groups like the friendship circle. It's that spirit of generosity and volunteerism that unites our community, a great community, and that needs to be promoted across the province: people helping people.

ONTARIO DRUG BENEFIT PROGRAM

Mrs Elinor Caplan (Oriole): Ontario seniors will find themselves on the receiving end of another Harris Conservative broken promise when the government brings in its economic statement.

As the Minister of Health finalizes plans to charge seniors a new user fee, called a copayment, for medically necessary drugs, drugs prescribed by their doctors, not just one but two key Conservative election promises are being broken.

Remember the promise contained on page 6 of the Common Sense Revolution? "No new user fees." This is a vow Mike Harris repeated at every campaign stop; and the second promise, the one on page 10, "Aid for seniors will not be cut."

These two promises, along with the already broken promise not to cut health care, were key to the Conservative election victory. These promises were used time and again to reassure Ontarians that Conservatives weren't the cold-hearted, mean-spirited, American-worshipping right-wingers that everyone was worried they were.

Obviously, these promises were not worth the paper they were written on and Ontarians are now seeing the Mike Harris real Conservative Party, a party that can only relate to the concerns of big business, a party that demands that children, the disabled and ailing seniors are the ones who must bear the brunt of the Conservative ideological stupidity.

How can the Conservatives expect anyone to trust them when they so quickly betray their commitments made to senior citizens—

The Speaker (Hon Allan K. McLean): The time has expired.

SOCIAL ASSISTANCE

Mr Tony Martin (Sault Ste Marie): I rise today to speak about a growing concern in our province that I am seeing first hand in my own community every weekend.

It is the concern being raised by those in the field of caring for the poor, who are increasingly seeing their resources diminish while demand grows. I, like you, realize how important it is that communities respond as they always have to crisis when it occurs, and we encourage that, but when the crisis is being imposed in a systematic way by decisions made by government, it worries me to no end.

The numbers of people attending the local soup kitchen is up by 10%. The list of families applying to the Christmas Cheer Depot has doubled. A local blue box recycling collection firm this past weekend collected over six tons of food in preparation for what is anticipated to be a tough winter for a lot of people.

These are all very troubling signs and doubly troubling when we know this situation does not have to be as difficult as it is.

We have a government now at Queen's Park that actually thinks the poor have too much and the rich do not have enough and are bound and determined to fix that situation even if it means creating a crisis.

I urge the government to do the right thing, to do the moral thing, to do the just thing and make every effort to ensure that the poor and the marginalized have what they need of the basics for life without having to go begging for them. Will they do that, please?

1340

ISADORE AND BELLE BLACK

Mr R. Gary Stewart (Peterborough): I rise in this House today to pay tribute to two very remarkable people in my riding. Isadore and Belle Black have been pillars of the community in the area of volunteerism.

The Blacks have also been strong supporters of one of the world's leading centres for the study of Torah, the Jewish religious text. The centre is known as Ponevez Yeshiva. On November 19, 1995, Isadore and Belle Black were honoured with the prestigious Distinguished Founders' Award at the 55th anniversary rededication dinner of Ponevez in New York City. This marks only the second time Canadians have been honoured with this award.

Isadore has been involved with many groups and organizations over the years. He was president of the Peterborough Chamber of Commerce, founding member of Trent University's board of governors, president of the Eastern Canadian Council of B'nai Brith, involved with the Peterborough Senior Citizens Council, the Prince of Wales Public School breakfast club, the Rotary Club, the YMCA and was named Peterborough Citizen of the Year in 1990.

Isadore and Belle Black possess the qualities that make a community strong and vibrant. It is my pleasure to stand here and congratulate them for their prestigious award. They are a tribute to their faith and a tribute to their community.

On behalf of the riding of Peterborough, I wish to extend my deep and sincere congratulations for receiving what is truly a very special award.

PUBLIC LIBRARIES

Mr John Gerretsen (Kingston and The Islands): Last week, I presented a petition, signed by over 4,000 individuals, against the repeal of the Public Libraries Act. Today, I have in this box over 2,000 individual petition cards, signed, that I would like to present to the Minister of Citizenship, Culture and Recreation on behalf of my constituents. Each one of them reads as follows:

"I support free public libraries as the foundation of a literate, informed and prosperous population. I am therefore opposed to the repeal of the Public Libraries Act, the elimination of provincial, conditional grants to public libraries, the eradication of library boards and the imposition of fees for the use of public libraries."

My constituents are very alarmed with statements made by the Premier of Ontario, the Minister of Citizenship, Culture and Recreation, as well as the Minister of Municipal Affairs and Housing that suggest the provincial government intends to repeal the Public Libraries Act in order to impose fees for the use of public libraries.

They believe that taxation is the fairest means of charging Ontarians for library services and that an annual user fee for services will stop those in the community who need access to library programs and services most: preschool and school-aged children, job seekers and those needing information to retrain for a changing world.

This is another attack on the most vulnerable in our society, much like the cuts in social services, cuts to the disabled and cuts to services for senior citizens. Public libraries make an important contribution to the ongoing strength and quality of life in Ontario.

WORKERS' COMPENSATION BOARD

Mr Gilles Bisson (Cochrane South): Last Friday, I had the opportunity to sit on the standing committee on general government, where we heard deputations from a number of people in regard to Bill 8.

What I'd like to inform the House today, through this statement, is of one of the comments made by the presentation of the Union of Injured Workers of Ontario, specifically Carol McGregor and John McKinnon, who had related through the committee that they had been trying to get in to meet with the minister responsible for reforms to the WCB, Mr Jackson, in order to be able to share with him their views in regard to some of the changes that might be needed at the WCB, and at the same time share some of their opinions overall on how the WCB operates.

What those deputation people said was shocking. They said that the minister would not meet with them, would not physically meet with them until after the interim report on WCB, that he's about to issue, had been issued. That sounds to me like inverted consultation. The whole idea of a government is to listen to people before the actual change is made.

This government is acting out its revolution, a revolution supposedly of common sense. First of all, there's no common sense to being so ideologically driven that you refuse the advice and help from people who may know something about something that you need to do. This action is not only undemocratic; it doesn't make any sense.

Secondly, history has taught us something: that without exception people get hurt in revolutions. This revolution in common sense is no different. People will get hurt, as people in every revolution have been hurt over the years.

PEN CENTRE

Mr Tom Froese (St Catharines-Brock): Ontario is definitely open for business. On Tuesday evening, November 21, 1995, I took part in the grand opening of the expansion and redevelopment of St Catharines's Pen Centre.

The remodelling and transformation of Pen Centre mall has been an enormous undertaking. Originally built in 1957 as a single plaza, it has grown and changed over the years, and its motto, "The Evolution of a Tradition," certainly fits.

I spoke at the ceremony on behalf of the province. I congratulated the many small businesses, both new and old to the mall. The expansion and redevelopment has meant over 1,000 new retail jobs. In fact, there is now an employment base in the mall of 3,000 jobs. That is the kind of news this government wants to hear and to encourage.

The Ontario Pension Board, which invested \$40 million in this project, and 20 Vic Management had a vision and confidence in Ontario. The results of that vision and confidence are what I saw on Tuesday evening at the opening. The mall was packed with dignitaries, well-wishers, shoppers and all those hundreds of men and women who are employed in many stores and services.

The opening of the transformed Pen Centre sends a message that Ontario is open for business. Our revolution has definitely begun.

VISITORS

The Speaker (Hon Allan K. McLean): I would like to inform the members of the Legislative Assembly that

we have in the Speaker's gallery today Ms Marianne Cerilli, MLA, from the Legislative Assembly of Manitoba, and Ms Lois Moorcroft, MLA from the Yukon Legislative Assembly. Welcome.

PARLIAMENTARY PROCEDURE

The Speaker (Hon Allan K. McLean): On Thursday, the member for Dovercourt (Mr Silipo) raised a point of order with respect to a question which sought additional information to a previously asked question.

I would say to the member for Dovercourt that while the minister may certainly have used another proceeding by which to deliver additional information, there is nothing in our rules or practice which prevents any member from asking a question that seeks to follow up on information provided in previous answers. Indeed, in reviewing Hansard, I find that this is a very common occurrence.

In response to the additional point raised by the member for Windsor-Riverside (Mr Cooke) I would like to quote from Speaker Warner's ruling of June 3, 1992, in which he said:

"Members will appreciate that our rules have changed since 1970 and one of the effects of these many changes is that the Speaker must now give more latitude to members in the subject matter of their questions for the very simple reason that he has no occasion to vet these questions in advance. I must say that this applies to both sides of the House, and therefore I can only repeat that while I try to be vigilant, I cannot apply standards of questioning to the government members that I do not apply to the opposition members...."

1350

STATEMENTS BY THE MINISTRY AND RESPONSES

ONTARIO PUBLIC SERVICE

Hon David Johnson (Chair of the Management Board of Cabinet): It is my pleasure today, as Chair of the Management Board of Cabinet, to announce the launch of an initiative in the Ontario public service that will reduce our internal administrative costs by 33% over the next two years.

At a time when the government is asking its transfer partners and other organizations that receive public funding to reduce spending, it is imperative that we show leadership by creating a smaller public service that is more effective, efficient, less costly and focused on providing services that are essential to the public.

This initiative demonstrates that we are taking our leadership role seriously.

The measures I am announcing today take in the entire Ontario public service.

This program also illustrates our commitment to cost-effectiveness within our own organization. Efficiency begins at home.

The level of savings we are targeting is achievable. We have looked at the experiences of major corporations which have undergone substantial restructuring. We are confident that our goal of cutting the cost of running the government by 33% is consistent with similar reviews of their business practices.

To achieve these savings, we will reassess a wide range of internal services such as purchasing, accounting, payroll and information technology. We will do this through a process that includes determining what core internal administrative services the government needs to support its business; eliminating those services that do not support our core responsibilities; looking at a range of options for service delivery, including partnerships with the private sector; making services and processes simpler and more effective through streamlining and eliminating duplication; introducing common standards for most government-wide services and information technology systems; and measuring the performance of services and the people who deliver them.

For example, the government expects to find immediate savings over the next few months by streamlining the process for purchasing and paying for low-cost items so that the processing volume will be reduced by up to 50%. In the area of information technology, \$12 million will be saved by April 1998 through the consolidation of existing leases for some hardware and software products.

We currently have an administrative budget of \$900 million for a \$54-billion organization. By reducing the costs of our internal administration, we will cut our budget by \$300 million over the next two years. By reducing internal administrative costs, we will ensure that tax dollars are going where they will give the most value to the public: by providing important public services.

In the spring I will update the House on our progress and provide details about the savings we have achieved.

Mr Joseph Cordiano (Lawrence): I am convinced that the Chair of Management Board has a dictionary of buzzwords, because that's what this statement reads like: nothing but buzzwords about how to make things more efficient. All the correct phrasing is there.

I'm sure there isn't anyone who would oppose making things more efficient in the workings of government. I'm sure everyone in this House would agree that that's the appropriate thing to do. Certainly, over the course of time he speaks to, this is achievable.

The question is, what are the specifics? No mention of cuts to the civil service; no mention of the number of job losses; no mention of what the impacts will be for those people in the civil service who face the prospect of being laid off. But certainly that is uppermost in the minds of a great many people. How do you achieve greater efficiencies without cutting to the bone, as the minister is wont to say?

When all is said and done, he's tinkering with the administrative workings of the bureaucracy. I say again that we all agree that the efficiencies are necessary. But what is he really going to do? He has not described that here today. What are the details around the cuts to the civil service?

Furthermore, yes, this is an internal administrative initiative, but the real heart of the matter lies with the quasi-public transfer partners, the recipients of those funds. I ask the minister, why hasn't his government moved to make the amendments necessary to the public Audit Act so the auditor could go in and audit some of

these transfer recipients to determine some real savings? After all, his Finance minister will be making a statement next week with regard to the big cuts that are coming, and no one seems to really know how effective or efficient the streamlining of those quasi-public institutions will be. I think the big savings to come might be in those areas.

However, we have no roadmap here to guide us. When the minister talks about the administrative initiatives he's undertaking, that's tinkering at the edges. The real stuff is yet to happen, and when it happens we want to know what this government is going to do, what model they'll be following in terms of streamlining those quasi-public institutions: municipalities, universities, hospitals. They are going to be very much affected by what this government does with respect to the economic statement on November 29.

I wonder if there's a real roadmap there, or is it just cuts right across the board without any consideration of the impacts? How do you really get those sectors working more efficiently? How do you restructure the government to make it actually work? How do you restructure those quasi-public institutions to actually deliver greater services with fewer dollars?

That's the real question, and that's what I want to see from the minister: some initiative with respect to cuts and a restructuring and reorganization to make those sectors work more efficiently. After all, 70% of the dollars that flow into the provincial government go out in transfer payments, so we're talking about a huge amount of money, as everyone knows in this House. But the minister has not detailed a roadmap or a guide or a model to be followed with respect to those cuts.

I say this is a bit of camouflage, if you would. We're talking about internal initiatives here, which I think everyone agrees with, but they're small by comparison to what's about to happen with the next economic statement. That's where the big stuff will happen. People out there want to know, Minister, what the impact of those cuts will be, and no one on your side is standing up to tell them. We'll find out in a few days, I'm sure, but the real effects of those cuts will be felt over the coming months, and that is something that concerns a great many people.

Mr Gerry Phillips (Scarborough-Agincourt): I don't think there's much doubt that we're seeing absolutely fundamental change with this government. You do have a majority and you can push it through, but I will just say to you that the people of Ontario will demand that there's a debate around these fundamental issues: changing core service, privatizing, reducing the public service by a dramatic amount. All these things you have the mandate to proceed with, but we should have the opportunity for debate.

No budget, for the first time in the history of the province—we have a one and a half page document talking about fundamental change. We demand a legitimate debate around issues like this.

Mr Tony Martin (Sault Ste Marie): We on this side of the House and in this party have no difficulty with the government finding efficiencies. As a matter of fact, we did a fair amount of it ourselves when we were govern-

ment. However, some of the premise upon which we based what we did in the name of balancing our situation was to save jobs, protect services and make sure that those who are least able to defend themselves were looked after.

What concerns me today about the statement made by the Chair of Management Board and this government are the underlying assumptions behind all of what they do as government these days.

They are saying, by the things they're doing and by what they're announcing here today, that government is not important, that the services government delivers are not important and, even more troubling, that the people who deliver those services are not valuable, do not contribute in some important way to the fabric of this province and the communities in which they live.

They say to us that government has no real role to play in modern society and that government does not play a part in the ongoing economic viability of our province or our jurisdiction; that somehow, if government gets out of the way, the private sector is just waiting to take advantage of all this excess resource once government has backed away. We know on this side of the House what that means. We know who that helps out and who begins to participate.

On this side of the House we believe that government is important, that government has an important role to play in the life of this province and that services are important to people, and that they get them on time and in a first-class fashion is really important. We know on this side of the House that the people who deliver those services are valuable players in the life of this province and in the economy of the province and are invaluable in the communities we all live in, particularly the smaller communities.

In a modern society, government is an important partner or player in every aspect of communities, particularly as a fundamental determinant of economic activity. When you cut expenditures you cut revenue, and when you cut revenue you have job loss, so government is an important part of any economy.

My question for the minister today, and it's a question that many people across this province and in my community are asking, is, at what point does all this become counterproductive? At what point does it become impossible, given even the brightest economic forecast, for the private sector to replace these jobs and services? Do you know or do you have benchmarks to tell you when your ideologically driven agenda of cuts to jobs and services begins to do irretrievable damage to both the social and economic fabric of this province?

When you put together what you're doing by way of downsizing in the public service, what you're not doing out there by way of stimulation to the economy and creating jobs, and what you're doing to the organized labour movement of this province that has contributed so significantly over the last four or five years to the economic health and wellbeing of this province and the ever-so-fragile recovery that was happening, I have to say to the Chair of Management Board that I am really con-

cerned. I speak today with all sincerity on behalf of all those people I represent in Sault Ste Marie and whom we in this party represent in every community across this province.

I'm sure if you talk off the record with some of your own members, they'll tell you that they're concerned as well, because what you're doing here is hurting people. You're hurting the people who deliver services for this government, who have worked so hard over so many years to develop their talent and their ability, you're hurting the people they deliver the services to, and, even more importantly, from the stuff we've seen so far that indicates the direction of this government, you're hurting those who are least able to accept the hurt: the vulnerable and the marginalized and the children of this province.

I ask you today to stop, to take a second sober look, to be open to the contribution we might make in this discussion you're having, and to listen to the people of this province before you do any more damage.

1400

ORAL QUESTIONS

HOSPITAL FINANCING

Mrs Lyn McLeod (Leader of the Opposition): My first question again is for the Minister of Health. Minister, last Tuesday I asked you to define the term "stable funding." You said you define stable funding for the transfer partners, in your case being hospitals, as being predictable, and you added, "We didn't say anything about the level of transfers."

I want to take you back, Minister, to the Toronto Star's debate on the greater Toronto area last April 5. On that occasion your leader, now the Premier, Michael Harris, was happy to talk about the level of transfers. He defined stable funding for the transfer partners by saying: "That means flat-line for the next four years. I hope we can do better than that."

I see a significant difference between those two statements. It's clear that before the election Mike Harris said stable funding means freezing transfer payments to hospitals and maybe even increasing them a little bit, doing a little bit better than that. Now that the election is over, you appear to be saying something totally different. Minister, does this mean you are going to contradict your leader's statements, and does that mean you are planning to reduce hospital transfers in this week's economic and fiscal statement?

Hon Jim Wilson (Minister of Health): The honourable member is correct in some of her research. I recall talking to the Ontario Hospital Association perhaps 18 months or two years ago before then leader Mike Harris, now the Premier, and advising him that perhaps we could have flat-line hospital budgets. I knew nothing of the detail and the levels of dollars that would be required for the 30 restructuring projects which will be in in the next few weeks.

It is clear within the envelope of hospitals that we're going to have to look at some dollars on the operating side and reinvest them into priming the pump to get going on these restructurings. You know we have Windsor on hold as a result of trying to find the capital dollars to

move ahead with that restructuring; Sudbury needs money; and of course Metro Toronto is going to need money.

Our commitment with respect to the overall health care envelope remains firm. However, we did say in opposition, and we've said again since coming to government, that within the health care envelope there will be some moving around of dollars, and you may or may not see that in the economic statement coming up with respect to hospitals.

Mrs McLeod: The Premier, when he was speaking last April 5, said that stable funding would mean flat-line funding to hospitals for the next four years. Minister, we've been told that you are planning to reduce hospital transfers by the following amounts: 2% in the coming fiscal year, 5% the next year and 10% the year after that, a total of more than 17% over three years. That amounts to more than \$1 billion in cuts to hospitals over the course of the next three years. I want to remind you that these are cuts to hospitals, one of the primary providers of health care to the people of this province.

I believe that cuts of this magnitude to hospitals would mean more hospital bed closings, not because of duplication but in order to pay for that income tax cut that benefits the wealthiest people in this province. I believe cuts of this magnitude would mean fewer nurses, longer waiting lists for surgery, reduced emergency room services, reduced services for people in smaller communities across the province.

Is this indeed your plan? Is your definition of "stable funding" this 2%, 5% and 10% cut to hospitals? Is your plan to violate every promise made by you and your leader during the election campaign?

Hon Mr Wilson: I'm perplexed by the question, given that I've spent a great deal of time talking with officials in the Ontario Hospital Association. This morning, we had some 40 officials in my office, and every single one of them understands what has to be done in the hospital sector. If we move ahead on restructuring, dollars are going to come out of the hospital side of the ledger. We've already said we will move ahead on restructuring, and any figures that may be contained in the financial statement will mirror what we intend to do on the restructuring side. Hospital administrators have very clearly said to me that they're prepared to allow some movement of dollars so we can get started on the capital side with respect to these restructuring projects. They're eager to get moving with restructurings and other investments.

Mrs Elinor Caplan (Oriole): Oh, yeah.

Hon Mr Wilson: No, I want to say to the honourable members, their attitudes are far more positive than yours. They live in the real world, they understand our debt and deficit problems and they understand that we need to get moving with one of the largest restructurings of a hospital system that's ever been attempted in North America. That requires dollars up front, and everybody across the way needs dollars in their communities on the capital side to go ahead with the restructuring. We're having those discussions with our hospital partners, and they fully understand what might have to be done.

Mrs McLeod: I would be very surprised if a single one of the people with whom the minister is consulting believed the hospitals across this province could cope with that level of cuts, with the minister taking those dollars, any amount of those dollars, to pay for that income tax cut his government is planning to bring in next spring.

I bring you back, Minister, to the commitments that were made by your leader, by your party and I believe by you personally that there would be no cuts to health care and no cuts to hospitals, not one single penny, not this year, not next year, not the year after that and not the year after that. Now you are looking at immediate cuts to health care, to hospitals, in order to help pay for that income tax cut. That kind of cut will fly directly in the face of the commitments you have made and directly in the face of what the people of this province expect from your government.

You will be aware of the survey that was conducted by the Ontario Hospital Association that indicates that eight out of 10 people in this province would be willing to forgo the income tax cut in order to protect their health care services from being cut. In Alberta, even your mentor Ralph Klein has realized that cuts to hospital services are not acceptable.

I just ask you again, will you keep that very clear election commitment? Will you freeze transfer payments to hospitals, as your leader said you would?

Hon Mr Wilson: I appreciate the question from the honourable member. I would ask the honourable member what advice she would give this government, given that we're just a few months away from the first billion-dollar cut from the federal Liberal government. A responsible government in Ontario would do what we are doing, and that is getting our own books in order and preparing our programs, including hospitals, for a \$1-billion cut coming in the name of a health and social transfer from the federal government. And that's only the first billion-dollar cut. A few months after that, there'll be another billion-dollar cut.

1410

I and my colleagues in cabinet and the members of our government have been very responsible in saying all the way along that there's only one taxpayer. We're going to bite the bullet here in Ontario, get our programs so that they're sustainable and affordable, and not point fingers at the federal government.

We recognize, which the honourable member seems to forget, that there are some huge cuts coming on our shoulders, and we have to prepare our programs, including hospitals, so that we can have quality and accessible health care across this province, now and in the future, and that's what we intend to do.

Mrs McLeod: Since the minister asked my advice, it's very simple. It is to do what the Premier said he was going to do when it comes to health care.

SERVICES FOR ABUSED WOMEN

Mrs Lyn McLeod (Leader of the Opposition): My second question is to the Minister of Community and Social Services. According to the Canadian Press, the

Minister of Community and Social Services has admitted to yet another mistake. He has admitted, apparently, that his cuts to women's shelters were not the best way to go. We have been pointing this out to the minister for some time now. We understand why this was a mistake and we understand what those cuts have meant for battered women and their children.

Minister, we are interested in hearing today why you now think it was a mistake. Would you please outline for this House what specifically in your view was wrong with the cuts and exactly what it is you now think should be fixed?

Hon David H. Tsubouchi (Minister of Community and Social Services): I appreciate the question from the Leader of the Opposition. First of all, what I did say was that cuts across the board aren't necessarily the best way to go, and I recognize that. But I also said at the time that the reason why we had to do these types of very dramatic cuts in July—this was a result of the extra \$1.9 billion deficit we inherited from the previous government. I made that very clear when I said that. That's what I was saying.

In fact, what we are doing now, in my ministry particularly, is we're looking at more of a consultative process, so we can make sure that people who are the care providers, the families that are affected by any of these areas, do have some direct input into government decisions.

Mrs McLeod: I guess it was just convenient for the minister to say that across-the-board cuts are the wrong way to go, right after emerging from a meeting with the interval and transition house representatives, who would have had some reason then to believe that what the minister was going to review was the specific cuts to their program. Perhaps the minister is saying that was not what he intended to convey at all, that he is committed to the cuts to women's shelters and to second-stage housing, and that those cuts are not going to be reviewed.

I wonder if he would then be able to help us understand what this advisory committee is going to do that he has apparently set up to look at the damage that his cuts have done and hopefully to undo the damage that those cuts have done, because, Minister, our concern is that you didn't do any consultation first. You cut first, you talked to people like the interval and transition house people later and you didn't seem to care about the impact of your cuts.

That impact is now being felt by women in shelters across this province who have no idea where they're going to go next. It's being felt by children who don't feel they have a secure home and by families who need a secure place where they can go to start rebuilding their lives.

Minister, I was hoping that you had finally seen the light and finally understood, after your meeting on Thursday, what your cuts are doing to women and children in this province.

The Speaker (Hon Allan K. McLean): Put your question.

Mrs McLeod: I would like to know: If that is the case, since you made your statement right after meeting

with them, what action are you going to take specifically on cuts to women's shelters and second-stage housing in this province?

Hon Mr Tsubouchi: Evidently the Leader of the Opposition is also providing me with the answer, because she started off her question with exactly what we're doing.

We have struck some committees to look in terms of how we're going to define our services and our structure. I've clearly said this before in the House. This is no surprise to anybody else. In fact, it is almost like a friendly question, because I get a chance to actually answer it again.

One of the things we are looking at though—and we're looking not just in this particular area; I think this is unique, certainly in this province—is we're looking to make sure that various ministries do not work in silos, that we don't have duplication of programs between various ministries. We're trying to become more efficient. It's about time the government started looking at ways to make government more efficient for a change, rather than just looking out in the community, which is what we're doing.

Mrs McLeod: I would love to be able to give the minister an answer on what I think he should do about cuts to services for battered women in this province. I would love to think that this minister would stop making mistakes when it comes to the impact of his cuts on the people who are affected.

Minister, we all know that you know how to make mistakes. We so clearly remember the regulation which you said was just a drafting error, and we know that you fixed that one. We've known that you're prepared to admit to some mistakes. I was hoping this was a mistake that you were prepared to admit to and that you would fix. We know you admitted that you broke the promise to let people earn back their welfare cut, and you said you were going to fix that. We're still waiting for that.

Surely, that is the next step: to recognize the mistake and then to fix it. What I really want to know today is what you're going to do to fix this problem, because it's not a theoretical problem. Those cuts have had an impact that endangers the lives of women and children in this province. You have said that across-the-board cuts were not the way to go. Will you look at this specific cut? Will you take steps to undo the damage of this cut and how long will it be before you take action?

Hon Mr Tsubouchi: I have a position most of the time. At least I have a position, as opposed to several positions that the Leader of the Opposition has had over a period of time. At least we know where government stands on ideas because, quite frankly, we still can't figure out where you're standing over there across the House.

I've said this before: Clearly, we're entering into a consultative process. I think that's a good way to go. I've also indicated that we're going to look at ministries, making sure that we're more efficient across the board, and we're also looking at ways to make the bureaucracy more efficient as well. These are steps that clearly the

other governments should have done in the previous 10 years, which they failed to do and of course which made the problem we've inherited from them far greater than it should have been.

TAX REDUCTION

Mr Bob Rae (York South): In the absence of the Minister of Finance and in the absence of the Premier, my question will have to go to the Minister of Economic Development and Trade.

We've been doing some work, as has the Dominion Bond Rating Service and as have a number of other commentators and advisers, on the full impact of the cost of the proposed 30% tax cut to which the Premier has recently recommitted the government. Most observers think that by the time the tax cut is fully implemented in 1998-99, the full impact will be close to \$7 billion, and by the end of the decade the full impact will be well over \$7 billion annually in lost revenue to the province.

I wonder why the minister would think that this was such a good idea, since the government has stated so categorically it's a bad idea for the government to be borrowing to pay for job creation. If it's a bad idea to pay for job creation by borrowing, why is it such a good idea to pay for a \$7-billion tax cut by borrowing?

Hon William Saunderson (Minister of Economic Development, Trade and Tourism): I'm pleased to say that I really support the 30% tax cut. It was a commitment we made during the campaign. It is a 30% cut in personal tax rates. It puts money into circulation, which is what needs to happen in this province. People in this province have not had a pay increase for about five years, about the same turn that this government was in office. It's the first time that they are going to have a break and they will put money into circulation. It will create jobs, and we're quite confident that at the end of our five-year period we will have created 725,000 new jobs.

1420

Mr Rae: There are 20,000 tax filers who make over \$250,000 a year. The Minister of Economic Development and Trade is quite right if he's saying that those people have received significant increases in their salaries and wages in the last five years. They have; ordinary working people have not. The average taxpayer with an income of over \$250,000, by the time this 30% tax break is fully implemented, would get a tax break of \$26,600 each year. The typical Ontario millionaire will get a tax break of over \$50,000, and someone who, as a CEO, earns an income of \$2 million or more would get an annual tax break of over \$100,000.

I would like to ask the minister why the government is choosing the least progressive means of dealing with the problem of low pay, of people who have had to suffer because of the recession? Why would you be targeting the people who have the greatest incomes for the greatest tax cut rather than looking at the people who have the least money?

Hon Mr Saunderson: I think the leader of the third party did not read his copy of the Common Sense Revolution very carefully. In the Common Sense Revolution, there's something he forgot, and that is the fair share

health tax levy, which will be attached to everybody's income over \$50,000, at the rate of about, I think, 2%.

All I can say is that I think the figures he has quoted today would be very much adjusted downwards as far as benefits are concerned for people in that category. I invite him to go back and do his homework again.

Mr Rae: I can assure the honourable member that, together with many other people, I've read this particular monstrosity of a fiscal bible with great care and read it over very carefully. We've tried to add up the numbers; we've also relied on the commentary by the Dominion Bond Rating Service. Obviously, a number of economists and a number of people are now starting to look much harder at the numbers which you're presenting.

But again, I want to ask the minister to come back to this. Perhaps the question is too direct, but it's a simple one. If it's wrong, which the government says, to borrow to build a subway, if it's wrong to borrow to build a hospital, if it's wrong to borrow to provide good health care, if it's wrong to borrow to do all those things—because ever since you got here, we've heard nothing but how terrible it is to borrow to do those things—I'm asking you a very simple question: If it's wrong to borrow to do those things, why is it right to borrow to give rich people a tax cut? Why is that right?

Hon Mr Saunderson: If the honourable member spent more than he earned, he'd be declared a bankrupt. If a company spends more than it earns, it ultimately goes bankrupt. These two parties over here spent us into a desperate situation so that our accumulated debt is now almost \$100 billion. Technically speaking, they have made this province a bankrupt province. In five years we will no longer be a bankrupt company; we will be in a balanced budget position. I think that is what the people wanted and that's why they elected us.

The Speaker (Hon Allan K. McLean): New question.

Mr Rae: I say to the same minister, we now have a declaration by the minister that the province is bankrupt and that's why they're declaring a \$7-billion dividend to the wealthiest shareholders of the province. What a preposterous statement; what a hypocritical statement; what a statement that doesn't add up to a hill of beans.

The Speaker: I wonder if the honourable member would rephrase his choice of words.

Mr Rae: If I've said anything unparliamentary, I withdraw it, but I still feel the same sentiments. I would say to the—

Mr David Turnbull (York Mills): Is this a question?

Mr Rae: It is a question. My question again to the minister is this: If you're saying now, as the Minister of Economic Development and Trade, that the province is bankrupt, why are you declaring a dividend for the wealthiest shareholders in the province, a dividend which is going to be worth \$7 billion in three years' time? Why would you do that? Why would you do such a thing?

Hon Mr Saunderson: The Dominion Bond Rating Service I think has said it all by downgrading our credit at least two times in this government's time period. So I think we can just leave it at that. We appear, I say, to

have been driven into a bankruptcy situation, which we're going to correct, and we will do it in five years' time.

Mr Rae: In case you wanted to know what it's equivalent to, \$7 billion is equivalent to almost the total annual transfers to our hospitals; it's worth 823,000 training spaces to help get people back to work; it's the total provincial transfers for public schools, universities and colleges combined. That's what \$7 billion is. The weakness in the entire Tory plan is that what they are doing is giving a \$7-billion gift to the wealthiest citizens of the province at a time when we still have significant unemployment—

Interjections.

The Speaker: Order.

Mr Rae: Would the minister please answer the question, once again, why is it good to borrow to give people a \$7-billion tax cut when we know the impact that's going to have on the services in this province?

Hon Mr Saunderson: To get a good, long-term recovery, we need to have a tax reduction. Government spending that we went through in the last 10 years has been very good for creating short-term jobs, but if we want to create good, long-term jobs, a tax cut and an encouragement to business is what will create those jobs.

Mr Rae: This is a personal income tax cut. Whoever gets the income tax cut, the person making \$1 million a year, the CEO who gets that is going to get a \$50,000 tax break, and that person can do whatever he wants with it. He can, say, go down to Florida, he can buy a condo, he can sell it offshore, he can put it anywhere he wants.

Building a subway is not a short-term job. Creating good health care is not a short-term job. These are long-term jobs for the benefit of the people of the province. My question, once again—perhaps I can rephrase it—is this: How will a tax cut help us to build a single hospital or a single subway line for the future of this province? How will it possibly do that?

Hon Mr Saunderson: Over the last 10 years we have had 65 tax increases in this province, 33 from the previous government and 32 from the Liberal administration. We have now got about 50,000 fewer jobs in Ontario than when they started back in 1990. I could tell you, it is quite obvious that tax increases reduce jobs. We are going to give a tax cut and we will create jobs.

Ms Frances Lankin (Beaches-Woodbine): How?

Hon Mr Saunderson: Because there will be money in people's hands. They will spend it on goods and services, and that will create the jobs. I know they don't like to hear all this news, but it is good news for Ontario. We will create the jobs.

DEVELOPMENT CHARGES

Mr John Gerretsen (Kingston and The Islands): My question is to the Minister of Municipal Affairs and Housing. Mr Minister, both inside this House and outside you have stated over the last two or three months that you will be cutting the grants and subsidies to municipalities severely, but on the other hand you'll be giving them a lot more autonomy than they currently have. I wonder if you could explain to this House, then, why it is that in the proposed changes to the Development

Charges Act you are severely limiting municipalities as to what they can charge for in the future. Could you explain that, Minister?

Hon Al Leach (Minister of Municipal Affairs and Housing): To the best of my knowledge, we haven't put anything on the table on development charges as of yet. We have indicated that we're going to review the act, that we're going to develop a new act in conjunction with consultations with AMO and the development industry. When we have that work done, we'll table it in the House.

Mr Gerretsen: In the media kit that you have provided everyone, it clearly states that Premier Harris stated, "The act must be returned to its original purpose of funding hard services," and he committed himself to work closely with municipalities to find cost savings.

How can you possibly say that you are not going to cut the services when the Premier, in his pre-election campaign, stated that he was only going to allow the Development Charges Act to charge for hard services? You know that right now other services are being charged for as well, which in effect will be downloaded on to municipalities in further municipal taxes. How do you explain that inconsistency, Minister?

Hon Mr Leach: That's quite a stretch to reach that conclusion, that we're downsizing because we're considering going back to having development charges apply to what they should apply to, and that's hard services.

Interjection.

Hon Mr Leach: Sure it does. If you want to create development—if you're interested in adding \$15,000 or \$20,000 to the cost of a single-family home, then you go that way. I think there are other ways, but we are going to review it with AMO and we are going to review it with the builders and developers in this province. There have been no decisions made as of yet, but you're absolutely right: I personally feel that development charges should be on hard services.

1430

WHITE RIBBON CAMPAIGN

Ms Marilyn Churley (Riverdale): My question is for the Minister of Community and Social Services. Minister, today marks the start of the White Ribbon Campaign, which you may know is the campaign by men to end violence against women.

You might be interested to know that you have eliminated funding for programs to help men who want to end their violent behaviour. These are people who are desperately seeking assistance to end their violent behaviour. Some of these men in fact are in the programs by court order, yet your government doesn't pay for these men to attend these programs, so already these agencies are picking up some of the slack.

How do you rationalize eliminating the funding for these programs when we know that violence against women is a big problem in our society and these men are trying to do something about it?

Hon David H. Tsubouchi (Minister of Community and Social Services): Prior to our making some of the adjustments certainly in the transfer payments, we

received some input back from some of the actual providers in these areas who really are questioning the effectiveness of the various programs. But what we do is we still continue to fund over \$60 million in these areas. This is also part of the challenge which we are sending to the committees that are going to be dealing with this particular area of the government.

Ms Churley: I'm aware from looking across the floor over there that I don't see one of the men, of whom there are many in your caucus, wearing a white ribbon today. I wonder if you are even aware that this is the beginning of the White Ribbon Campaign.

Associations such as the Family Services Association of Metropolitan Toronto and the Catholic Family Services of Peel-Dufferin are going to do their best to continue the male batterers programs, but these programs will suffer, we know that, and your cuts are going to increase costs in other ways. More women will be in shelters and hospitals, more men in jail, more children witnessing abuse and running the risk of become abusers or abused themselves.

Minister, forget the moral imperative for a minute, just for now. Do you think that, just economically, cutting these programs at this time is worth the new costs that you are going to be creating? Is this common sense?

Hon Mr Tsubouchi: It is no surprise to anybody in the House that part of the challenge of what this government was left with is making some very difficult decisions, and I emphasize the part that they are difficult decisions. However, someone has to address the fiscal problem that we have. Clearly if we don't address this and clearly across the province people recognize that unless we address the fiscal problems we have right now in this province, there in fact will be no province any more.

With respect to the first remark, I have to say that as I look around the House there are various members from all the different parties who either wear symbols on their lapels or not. Certainly many of us, even looking back at Remembrance Day, were wearing poppies. But certainly this is not an indication of whether or not there's support for programs. Clearly the government does have this area as a priority of ours and we do think it's important, but we have to look at the overall picture as well, and that's clearly what we've been doing.

TOURISM RESERVATION NETWORK

Mr Bart Maves (Niagara Falls): My question is for the ever-popular Minister of Economic Development, Trade and Tourism. I know the minister supports my constituents' desire to bring the tourism sector up to date in the field of global telecommunications. Could the minister inform the House if there has been any movement in the ministry's negotiations on a province-wide tourism reservation and information network agreement?

Hon William Saunderson (Minister of Economic Development, Trade and Tourism): I'm very glad to have that question from the member for Niagara Falls, and I'd like to inform the House just what the status is on the province-wide tourism reservation network agreement.

The province-wide network would link tourism products with consumers through the 1-800 Ontario phone

line with the capability of placing reservations for events, attractions and accommodations. The industry would pay for the network on an as-used basis. It would be owned, operated and financed by the private sector.

A tourism reservation and information network is very important because it will increase the competitiveness of the tourism sector. A number of competing jurisdictions have similar types of networks. This Bell-led consortium was the successful proponent from the ministry's requests for proposal competition, and the tourism division negotiating team has been negotiating throughout the summer and fall, and continues to negotiate with Bell in anticipation that an agreement can be reached.

Mr Maves: It's a very important subject to the people of my riding and I thank you for your answer. Could you inform us, though, when negotiations may be completed.

Hon Mr Saunderson: I'd like to respond to the supplementary by the member for Niagara Falls. Negotiations are proceeding as expeditiously as possible. The issues are complex, I might add, both for the government and for Bell Canada. It is anticipated by all parties that an agreement can be in place for the new service prior to the coming spring tourism season in 1996.

BUS TRANSPORTATION

Mr Mike Colle (Oakwood): I have a question for the Minister of Transportation. Minister, before you rush ahead with deregulation of the bus industry across Ontario, I wonder if you've considered one of the impacts that this rush to deregulation is going to bring about. That is that neighbouring provinces like Quebec have not deregulated, probably won't deregulate till 1999.

If you deregulate here in Ontario, what's to stop Quebec bus operators or Manitoba bus operators from coming into Ontario and taking business away from Ontario operators? What will you do to protect this type of unrestricted activity from happening here in Ontario?

Hon Al Palladini (Minister of Transportation): I would like to assure the honourable member that my staff and the ministry staff right now are consulting with the bus industry to ensure that an orderly deregulation is going to be taking place. The question that the honourable member has just asked me is exactly one of the reasons that we are going to take this thing slow, because we want to do the right thing. Before deregulation happens, we want to make sure that the province of Ontario business bus operators are protected.

Mr Frank Miclash (Kenora): The people of northern Ontario, both bus operators and passengers, look at this deregulation as scary. They refer to it as scary. I have a bus owner-operator in the town of Kenora. She said she had "very serious consequences for our business," that this deregulation will have very serious consequences.

Minister, she's put a number of concerns to me, and let me put them to you. The markets are already saturated with bus companies. Safety will be compromised as fly-by-night operators use out-of-date and unsafe coaches. By their own admission, MTO inspectors are already unable to carry out all safety inspections. Most scheduled runs, such as the Excel daily to Red Lake and Fort Frances, will be discontinued, and with lower government-man-

dated costs just across the border—and my colleague mentioned Manitoba—northwestern Ontario is sure to be overrun by Manitoba-based bus companies.

Minister, have you given any consideration to these issues? How do you respond to Mrs Plaunte's concern? Would you please explain your plan to protect bus services to small, rural and northern communities?

Hon Mr Palladini: I appreciate my honourable colleague's concern about deregulation, but with regulation, small towns and communities across this great province of ours, over 400 towns, have lost busing services. The people who are saying that this is going to hurt or lose every bus service in small towns in Ontario do not know what they're saying, because that is not the case.

As far as safety standards are concerned, I think the honourable member also knows my commitment on safety with the safety plan that was just implemented. We have absolutely the fullest commitment to make sure that safety is not going to be compromised.

1440

PUBLIC SECTOR RESTRUCTURING

Mr David S. Cooke (Windsor-Riverside): I have a question to the acting Premier. I'd like to ask the acting Premier whether he would commit the government to public hearings on legislation that will be coming out of this Wednesday's budget from the government, since the minister will understand that the omnibus bill that is going to the legislation and regulations committee of cabinet this evening for approval will be a major piece of legislation. Deregulation of the public sector will change fundamentally the way public business is done in this province. Would he not commit himself to public hearings on that legislation?

Hon David Johnson (Chair of the Management Board of Cabinet): To the member opposite, I think the appropriate response is, let's wait and see what the statement contains, let's wait and see what actions are required at that point. We don't have long to wait. The minister has indicated that on Wednesday afternoon at 4 o'clock the statement will be presented to the people of the province of Ontario. At that point I think it'll be apparent what action is required in terms of consultation.

Mr Cooke: We know that there is a major omnibus bill that is going to leg and regs tonight. We know from your Minister of Municipal Affairs and from other ministers that there are major deregulation sections to that bill that will fundamentally change the way the public sector is run. Whether it's school boards, whether it's municipalities, whether it's hospitals, it will change things dramatically.

There was no discussion about this approach during the election. This is not something that was covered to any extent in the so-called Common Sense Revolution. If we're going to have major, dramatic changes in the way that the province functions, does the minister not believe that it's appropriate to have public hearings? Or are you going to do what seems to be communicated to us already by the House leader, and that is ram this bill

through in two weeks, with no public hearings and no standing committee at all?

Hon David Johnson: The member for Windsor-Riverside is perhaps presuming what is going to be in the statement. I realize that there are various items that have been contained in the press. The Minister of Finance has indicated that yes, there will be implications, there's no question there will be implications, but I would remind the member for Windsor-Riverside that we did go through an election earlier this year and all of the parties did have platforms that were laid out.

I will say to the member that what will be contained in the minister's statement is highly consistent with the approach that this party has taken during the election period. That, I might say, is the greatest opportunity to meet with the people and to consult with the people. I think we've had an excellent consultation. The people have given us a mandate to proceed and, for once, a government is taking action on its promises.

BUS TRANSPORTATION

Mr R. Gary Stewart (Peterborough): It appears today is bus deregulation day in the House, because my question is also to the Minister of Transportation. Ontario bus operators are indeed preparing for deregulation of their industry, and I would like to indicate that many I have talked to intend to continue the service to areas where they now are, and indeed many of them will expand those services.

However, out-of-province operators have access to Ontario markets while Ontario operators are restricted in their markets, especially since deregulation in Quebec will not happen until 1999. Possibly the same question, or much the same, will cement in the minds of the bus operators what will happen in the next couple of months or the next couple of years.

Minister, can you assure us that after deregulation occurs in Ontario, Ontario operators will be given equal opportunity to compete in the marketplace and that out-of-province and out-of-country operators will not have an unfair advantage?

Hon Al Palladini (Minister of Transportation): I would like to thank my honourable colleague. As all members know, removing barriers and red tape is this government's commitment in the Common Sense Revolution. We believe that unnecessary regulation and red tape are significant barriers to growth and investment. I would like to assure my colleague that as far as foreign competition is concerned, my ministry staff and personal staff are right now consulting with the busing industry to ensure that an orderly transition will develop.

Mr Stewart: We're all very concerned about safety. I would ask the minister how he intends to ensure the safety of the travelling public after deregulation.

Hon Mr Palladini: I would like to add, this deregulation is an economic deregulation only. I have no intention of allowing unsafe buses on Ontario roads. We are committed to road safety and will ensure that bus companies operate safely. A bill that I presented on shortline rail is tough on safety. I will do the same on busing.

ALFRED COLLEGE OF AGRICULTURE
AND FOOD TECHNOLOGY

Mr Jean-Marc Lalonde (Prescott and Russell): My question is for the Minister of Agriculture, Food and Rural Affairs. Minister, there are many rumours circulating in my riding that your government is planning to shut down the agricultural college in Alfred. As the minister knows, the Alfred College of Agriculture and Food Technology offers the only French-language diploma programs in agriculture in the province. It is not only an agricultural college, it is also a major agricultural research centre. I would like to know what your government's plans are for the future of the Alfred agricultural college.

Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs): I want to thank my colleague and neighbour for that question. I can assure him and all of the people who use le Collège d'Alfred that it is very much going to remain le Collège d'Alfred.

WORKERS' COMPENSATION BOARD

Mr David Christopherson (Hamilton Centre): My question is to the minister without portfolio responsible for workers' compensation reform. Minister, I've been talking to workers across the province and they are extremely concerned and angry over the litany of cuts in benefits that you're going to make the WCB. One of the areas of course is the three-day waiting period.

As I understand what you're proposing, a firefighter in the province of Ontario who falls from a ladder while at home and breaks a leg would be entitled to sick pay coverage from that moment forward, but that same firefighter performing one of the most important public safety services in this province who is hurt in the line of duty would be penalized up to three days' pay because of your waiting period.

Minister, what possible justification can you have for punishing firefighters and other workers who become injured and disabled on the job through no fault of their own?

Hon Cameron Jackson (Minister without Portfolio [Workers' Compensation Board]): I'd like to thank the member opposite for the question and I want to assure him that although there have been discussions about the concept of a three-day, five-day, one-day waiting period, that is not a firm decision that has been made; in fact, quite the contrary.

My colleague the Minister of Labour sought consultations, and I reviewed much of that literature, a lot of that response, and even though this has been considered or implemented in several other provinces in Canada, at this point I'm pleased to report to the House that it is not the case that this is something our government has already made a decision about and is prepared to proceed on. Quite the contrary—it's something I'm looking at, but I'm aware of the kinds of concerns you've raised. The firefighters in this province have made them known to me as well.

1450

Mr Christopherson: The evidence and the track record so far is that your government is not concerned

about listening, given what you did with the anti-worker Bill 7, the way you rammed it through. If indeed you're so interested in listening to workers, will you today commit to take whatever work it is you're doing—which no one knows, as you've gone underground with it; when you killed the royal commission, you also killed the public input process—to a province-wide public hearing process that allows everybody, not just your pals in the back room, to have a say in this most important legislation that affects working people and their ability to survive day by day? Will you commit to that public process here today?

Hon Mr Jackson: I'm surprised at the member opposite's suggestion. There can't be any issue that has been more consulted upon in the last eight years in this province. The previous Liberal government did some consultations; the leader of the third party undertook consultations. We have a body of information a mile wide for us to consider.

The real issue is, are we prepared to move in the direction that your government was prepared to move in with the royal commission, to look at models like they have in New Zealand, where we are going to transfer the liability from the workers' compensation on to the general public at large? Clearly, the Mike Harris government has said we're not moving in that direction.

We have an \$11.4-billion unfunded liability, thanks to your government and the last decade of mismanagement of the Workers' Compensation Board. The bottom line is that we're prepared to make the difficult and tough decisions to turn this situation around, to return it to an income replacement program as it was designed to be 80 years ago in this province, and to make sure those reforms are done with balance and consultation with workers who are looking for future jobs in this province. That's the focus of the Mike Harris government, and you'd better be ready for it.

JUSTICE SYSTEM

Mr Bert Johnson (Perth): My question is for the Solicitor General. Minister, last week you indicated that you would advise the House of whether there will be a review of the police investigation of the OPP officer who was recently found not guilty for failing to remain at the scene of an accident in connection with the death of a 16-year-old Nepean youth. Would you please advise the House today on whether there will be such a review of the police investigation.

Hon Bob Runciman (Solicitor General and Minister of Correctional Services): I appreciate the question, especially since the member for Ottawa South is in the assembly today and he raised this issue earlier. I'm afraid I can't comment on the specifics of it because charges are outstanding against the police officer under the disciplines section of the Police Services Act. A date for a hearing will be set next week, December 5.

Also, complaints have been made to the Ontario police complaints commission in respect of the incident, so I'm not able to comment further upon those complaints and the charges against the officer until those matters are resolved.

Mr Bert Johnson: I appreciate that the minister cannot comment at this time because of the outstanding charges against the officer and of the complaints to the complaints commissioner. However, could he indicate whether a review will follow the resolution of these charges and complaints?

Hon Mr Runciman: I can give the member assurance, as I indicated, that once the matter has been dealt with by the police complaints commission and the discipline process as well, then I'll be in a position to review the circumstances and make a decision.

PHYSICIAN SHORTAGE

Mr James J. Bradley (St Catharines): My question is for the Minister of Health. On the weekend, I met with representatives of the Lincoln County Academy of Medicine in the city of St Catharines.

Hon Al Palladini (Minister of Transportation): You were on the picket line.

Mr Bradley: I was not on a picket line. This group is expressing grave concerns about the policies of the government. One of the concerns they expressed was that in St Catharines, in their view, we now are an underserved area in terms of the fact that we do not have sufficient family doctors. When people are retiring or moving out of the area, it is very difficult to have new doctors coming in, one of the reasons being that you will not give a billing number to people coming in from outside the province and I understand you can control billing numbers for new doctors coming out of university.

The question to the minister is this: In Ontario—and I'm taking a long enough time so you can have a briefing note come to you from your assistant over there—

The Speaker (Hon Allan K. McLean): Put your question, please.

Mr Bradley: Are you not concerned that communities such as St Catharines will not have the appropriate service in terms of general practitioners if you continue your policies in this direction?

Hon Jim Wilson (Minister of Health): No, not at all—quite the opposite, I say to the honourable member. First of all, with respect to his comments that we don't allow physicians in from other provinces, I have signed dozens of Bill 50 exemptions since coming to office, bringing the total number up to close to 150 between the previous NDP government and our government, so it is false to say we are not bringing in doctors from other areas. It's a patchwork approach, and we're looking for a more permanent solution to this problem in our discussions with the Ontario Medical Association.

What we have on the table is the most generous incentive program for areas like St Catharines, the rural areas around it, 76 communities in the province that don't have enough or any physician resources right now; the most generous incentive package on the table in our discussions with the Ontario Medical Association in the history of this province. I'm told by the Ontario Medical Association and by the Association of Interns and Residents of Ontario that incentives should work, so I've put new money on the table to attract doctors to those

areas. I'm waiting for a positive response from the OMA in that regard.

Mr Bradley: I'll pass along to the Academy of Medicine your concerns about what you consider to be their false statements.

The second question I would ask is related to compulsory retirement. There has been some discussion that your government may be forcing doctors to retire at the age of 65. One of the ways in which you can allow an area to continue to be appropriately serviced is by not having a firm rule that says doctors must retire at age 65. Would you assure the members of the Academy of Medicine in my part of the province that it is not your intention to enforce a compulsory age-65 retirement on them, that you could leave that flexibility for communities such as mine?

Hon Mr Wilson: Those are very reasonable comments from the member for St Catharines. Yes, we're trying to do as much as we have to do to correct the problems and bring in long-term solutions. We're trying to do that through incentives. I can confirm for the member today—now, this is an area on which we do have agreement with the OMA—that we are trying to use an incentive package for retirement for physicians in this province. It's a very generous incentive package.

We have some oversupplied areas in the province. Members should know that for every new doctor over the last eight years who went into an underserved area, seven went into an overserved area like Metropolitan Toronto. We can't allow that to continue. It's strangling the incomes of doctors in the system now, given that there's a cap on the \$3.8-billion pool, and it's not serving the people of Ontario in these communities that don't have enough doctors or have no doctors at all.

The people of Ontario own the health care system, not the politicians and not the doctors. We're doing everything we can, through financial incentives and other incentives, to ensure that things like early retirements do occur and that we bring in long-term solutions to the problems that have been in existence for many years in this province.

1500

SERVICES FOR ABUSED WOMEN

Ms Marilyn Churley (Riverdale): I have another question for the Minister of Community and Social Services. I was pleased to read in the Toronto Star last Friday that you appear to be reconsidering some of your cuts to shelters for battered women. I can only assume that you are finally admitting that in your haste to make room for a tax cut for the rich you cut too much too soon without considering the serious consequences.

Minister, in August you stated, "I think it's government by let's-see-what-happens." Is this what you meant? Is this the way you're going to be governing and deciding who gets cut where?

Hon David H. Tsubouchi (Minister of Community and Social Services): I suppose the real difficulty here is that there's not much sense of humour around anywhere.

Frankly, I answered this question earlier on in the House. What I said is that we have to look at ways to

make government more affordable. I already spoke about the problem we had consistently over the last 10 years, where various ministries have acted as silos, where there has been no communication between them and there's been duplication of costs. We're looking at ways to make things more efficient. We have to look at how we can consolidate things, just general things that are common sense.

Ms Churley: I'm glad the minister has given me the opportunity to tell this House that I am a feminist with a sense of humour, as most people in this House are probably very well aware. But I do want to say to the minister that when it comes to violence against women and kids, I don't have a sense of humour. I never find it funny. I am really, really shocked to hear the minister respond in that way when we're talking about a subject like this.

Having said that, I was even more pleased to read in the same article your statement that your across-the-board cut "doesn't recognize the relative importance of different programs." Does this mean that you are planning to review all the cuts made to the programs funded by your ministry, or does the program have to get a major headline or have its picture taken with the Premier to be reconsidered by you and your ministry?

Hon Mr Tsubouchi: I certainly do recognize that the member does have a very good sense of humour. You're quite right that it doesn't apply to this area. My comment was intended to indicate that when you take statements out of context and try to apply them and translate them to another area, certainly it's not right, aside from the fact that it doesn't make any sense.

With respect to what the honourable member is talking about, yes, one of the things we're looking at is certainly the consultative process. This is what we must do and this is what I am doing.

I don't know where people are today in the House. This is exactly the same question that I fielded earlier on today. I could have stood up, I suppose, and said the same thing.

Clearly, what we're trying to do is find a sensible way to deal with this, and the way we're doing that is by consulting people in the area.

VISITOR

The Speaker (Hon Allan K. McLean): I'd like to draw the members' attention to the fact that today we have a visitor in the gallery, the Honourable Jack Riddell, the former Minister of Agriculture.

PETITIONS

HOSPITAL RESTRUCTURING

Mr Monte Kwinter (Wilson Heights): I have a petition to the Legislative Assembly of Ontario:

"Whereas the report of the Metropolitan Toronto District Health Council hospital restructuring committee has recommended that North York Branson Hospital merge with York-Finch General Hospital;

"Whereas this recommendation will remove emergency and inpatient services currently provided by North York Branson Hospital, which will seriously jeopardize medical

care and the quality of health for the growing population which the hospital serves, many being elderly people who in numerous cases require treatment for life-threatening medical conditions;

"We petition the Legislative Assembly of Ontario to reject the recommendation contained within the report of the Metropolitan Toronto District Health Council restructuring committee as it pertains to North York Branson Hospital so that it retains, at minimum, emergency and inpatient services."

I have affixed my signature.

JUNIOR KINDERGARTEN

Mr Gilles Bisson (Cochrane South): I have a petition here from a number of people from junior kindergarten from the community of Timmins. They've taken the time to cut out the imprints of their little feet on to these pieces of cardboard, and the petition reads that they don't want to stamp out junior kindergarten. This is a unique petition, I think, from people in my riding who will end up becoming the future voters and future leaders. I know they don't want to see junior kindergarten stamped out, and Jason and Priscilla and Amanda would like me to present this petition on their behalf to the assembly of Ontario.

CHILD CARE

Mr Ted Arnott (Wellington): I have a petition to the Premier and Legislative Assembly of Ontario and it reads as follows:

"We, the parents, friends and staff of child care centres of Wellington county in the province of Ontario, do humbly petition the Premier and Legislature of Ontario that the government of Ontario consult fully with the parties to be affected before implementing the changes to child care policy to be announced in the November 29 economic statement."

This is signed by quite a number of my constituents from Fergus and Elora, and I've affixed my signature to this petition as well.

AMALGAMATION OF SCHOOL BOARDS

Mr Frank Miclash (Kenora): I have a petition that reads:

"To the Legislative Assembly of Ontario:

"Whereas the interim report of the Ontario School Board Reduction Task Force recommends the amalgamation of the Kenora Board of Education with the Dryden Board of Education and the Red Lake Board of Education; and

"Whereas the amalgamation of school boards in northwestern Ontario is not practical for operational and financial reasons because of the large distances between communities;

"We, the undersigned, petition the Legislature of Ontario as follows:

"To ensure the continuation of the present number of school boards in northwestern Ontario, except where local school boards and their communities, having evaluated the cost and benefits of amalgamation, request an amalgamation of their respective boards."

I've attached my name to that as well.

TAX REDUCTION

Ms Marilyn Churley (Riverdale): I have hundreds of signatures here, and this is only the beginning of petitions to the Legislature that read:

"We, the undersigned, petition the Legislative Assembly of Ontario to abandon, reduce or delay the provincial government's proposed 30% tax reduction in order to maintain needed funding and services for the two million people of Metro Toronto."

I affix my signature to this petition.

CHILD CARE

Mr Tim Hudak (Niagara South): I was presented with this petition on Friday, and I'd like to read it into the record. It reads:

"Dear Tim Hudak, MPP, and the provincial government:

"We, as parents, board members and early childhood educators in the Fort Erie area feel recent cuts and impending cuts to the child care sector are putting Ontario's children at risk. By forcing parents to place their children in unlicensed, unregulated care, Ontario's children will suffer. Child care funds make up only one tenth of 1% of the total provincial budget. In the 15 weeks that Mr Harris has been Premier, \$60 million has been slashed from this minuscule amount.

"We demand you look at the other 99.99% of the budget to cut your costs. Stop taking money from little children. Besides just being rude, it is not preventive and does not look to the future or the wellbeing of our children."

HIGHWAY SAFETY

Mr David Ramsay (Timiskaming): To the Legislative Assembly of Ontario:

"Whereas the Ministry of Transportation is intent on reducing northern winter road maintenance and services; and

"Whereas such downgrading places the lives of northern residents at undue and unnecessary risk;

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow these reductions in service and to guarantee that winter roads across the northern region of the province receive the necessary maintenance to ensure the safe passage of all travellers."

Mr Steve Gilchrist (Scarborough East): To the Legislative Assembly of Ontario:

"We, the Committee for a Safer 401, and the undersigned taxpaying citizens of Ontario demand that the government take a serious look at installing a safety median to separate the east and west traffic on the 401 Highway. This median should extend from the Highway 115/35 exit to at least Cobourg. This stretch of highway has been identified as one of the deadliest in Ontario."

I'm pleased to add my signature to this petition.

CHILD CARE

Mr James J. Bradley (St Catharines): This petition is to members of the Legislative Assembly. It reads as follows:

"The governments at provincial and regional levels are threatening cuts to child care programs. We see child care as an essential service to the community. A reduction in

subsidized child care programs would result in unaffordable and unavailable child care, causing higher levels of unemployment and welfare dependency."

I affix my signature to this petition as I'm in agreement with its contents.

PRIVATIZATION OF CORRECTIONAL FACILITIES

Mr Gilles Bisson (Cochrane South): Yet another petition from Cochrane South, this time on the safety of our jails. The petition reads:

"To the Legislative Assembly of Ontario:

"Whereas the government of Ontario has indicated a need to privatize crown assets and programs;

"Whereas the provincial government plans to remove successor rights via Bill 7 and therefore enabling widespread privatization;

"Whereas the Common Sense Revolution did not address the topic of privatization in prisons;

"Whereas the Common Sense Revolution did, however, discuss issues relating to public safety;

"Be it resolved that we, the undersigned, petition the government of Ontario to eliminate this policy of actual intentions to privatize the provincial correction facilities and therefore ensuring the people of this province's peace of mind, knowing that the government of Ontario is still responsible for the safety and security of the province."

I signed the petition.

PROVINCIAL DEFICIT AND DEBT

Mr Derwyn Shea (High Park-Swansea): I present a petition to the Legislative Assembly signed by constituents in Parkdale and High Park who are so concerned by the fiscal mess this government has inherited and the poverty and unemployment the Liberal and NDP fiscal mismanagement have caused in Ontario that they ask this government to make the elimination of the provincial deficit and debt the highest priority of the Mike Harris government. I so present this.

1510

EDUCATION FINANCING

Mr Pat Hoy (Essex-Kent): "To the Legislature of Ontario:

"Whereas all students in Ontario deserve equal educational opportunities; and

"Whereas we understand the importance of controlling costs; and

"Whereas reductions to core grants severely impact assessment-poor boards;

"Therefore, be it resolved that we, the undersigned, petition the Legislature to effect reasonable reductions in the education system and to ensure that the reductions are shared in a fair and equitable manner."

I've affixed my signature to this.

HIGHWAY SAFETY

Mr Frank Miclash (Kenora): I have a petition that reads:

"To the Legislative Assembly of Ontario:

"Whereas the Minister of Transportation is intent on reducing northern winter road maintenance and services; and

"Whereas such downgrading places the lives of northern residents at undue and unnecessary risk;

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow these reductions in service and to guarantee that winter roads across the northern regions of the province receive the necessary maintenance to ensure the safe passage of drivers."

I have attached my name to that as well.

CHILD CARE

Mr Michael Gravelle (Port Arthur): Last week I had the privilege of taking part in an extraordinary rally in Thunder Bay attended by hundreds of parents, children and early childhood educators. At that rally and a protest the next day this petition was presented to me.

"To the Legislative Assembly of Ontario:

"Whereas the Ministry of Community and Social Services, under the direction of the provincial government, is intent on replacing child care subsidies with a voucher system; and

"Whereas this voucher system will discriminate against families presently utilizing subsidies;

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow these cuts to this critical economic investment for communities of Ontario and to guarantee that the current child care subsidy system remains funded and supported."

It is signed by 1,400 people, and I'm proud to add my name.

HOSPITAL RESTRUCTURING

Mr Mike Colle (Oakwood): This is a petition signed by many supporters of Northwestern General Hospital. The petition is to the Legislative Assembly of Ontario.

"Whereas the Metropolitan Toronto District Health Council hospital restructuring committee has recommended to close Northwestern General Hospital and merge all programs and services with Humber Memorial Hospital;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the recommendation of the Metropolitan Toronto District Health Council to close Northwestern General Hospital be rejected by the government of Ontario and that it keep Northwestern Hospital open" forever.

JUNIOR KINDERGARTEN

Mr Gilles Bisson (Cochrane South): Yet another petition from the riding of Cochrane South, this time from the parents of those children who sent their imprints of feet in regard to how they feel about the cancellation of junior kindergarten. Now from their parents:

"To the Legislative Assembly of Ontario:

"Please do not stop funding school boards for junior kindergarten programs. Early education helps children stay in school longer and improves their reading, math and language skills. It saves society millions of dollars that would later be spent on remedial social programs. Our children's future is worth it."

I have somewhere about 1,000 or 1,500 of those cards signed from a number of people throughout the area of

Cochrane South, including Iroquois Falls, Matheson and Timmins.

HOSPITAL RESTRUCTURING

Mr John Gerretsen (Kingston and The Islands): I too have a petition which is addressed to the Legislative Assembly of Ontario and signed by people from all over Ontario. It states:

"Whereas the Metropolitan Toronto District Health Council hospital restructuring committee has recommended to close Northwestern General Hospital and merge all programs and services with Humber Memorial Hospital on Humber's site;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the recommendation of the Metropolitan Toronto District Health Council to close Northwestern General Hospital be rejected by this government of Ontario and that it keep Northwestern Hospital open."

VEHICLE LICENSING OFFICE

Mr Pat Hoy (Essex-Kent): "We, the undersigned, are asking the Ministry of Transportation to re-evaluate their position in regard to putting a vehicle licensing office back into the town of Ridgetown. By signing this petition we are saying that the licensing office is badly needed here."

It's signed by a number of residents in and around the Ridgetown area.

ORDERS OF THE DAY

ADVOCACY, CONSENT

AND SUBSTITUTE DECISIONS

STATUTE LAW AMENDMENT ACT, 1995

LOI DE 1995 MODIFIANT DES LOIS EN CE QUI CONCERNE L'INTERVENTION, LE CONSENTEMENT ET LA PRISE DE DÉCISIONS AU NOM D'AUTRUI

Resuming the adjourned debate on the motion for second reading of Bill 19, An Act to repeal the Advocacy Act, 1992, revise the Consent to Treatment Act, 1992, amend the Substitute Decisions Act, 1992 and amend other Acts in respect of related matters / Projet de loi 19, Loi abrogeant la Loi de 1992 sur l'intervention, révisant la Loi de 1992 sur le consentement au traitement, modifiant la Loi de 1992 sur la prise de décisions au nom d'autrui et modifiant d'autres lois en ce qui concerne des questions connexes.

The Speaker (Hon Allan K. McLean): Debate? Mrs Caplan had the floor at the last. I recognize the member for Downsview.

Ms Annamarie Castrilli (Downsview): It gives me great pleasure to continue the opening discussion on Bill 19, the Advocacy, Consent and Substitute Decisions Statute Law Amendment Act. We in the Liberal Party have for some time recognized the need for change in the area of advocacy, consent and substitute decision-making, believing as we do that the current system is ill-conceived, intrusive, onerous and unfair for all affected by the system—individuals, their families, practitioners, attorneys and the public trustee.

Just at the time that people are at their most vulnerable, we have seen a cumbersome set of provisions that

have added to their vulnerability. Add to that the confusion generated by such provisions and you have a veritable recipe for chaos. We have therefore been proactive and innovative in seeking and offering solutions to the many problems created by the system at hand.

And there are many problems. The bureaucratic web that has been woven by the legislation put in place by the previous government has had the effect of confusing and trapping unsuspecting Ontarians who cannot be faulted for believing that they and their families have primary control over their own affairs.

This three-pronged legislative pyramid has generated a nightmarish network of paperwork, obstruction, delays and frustration. As a lawyer, I can tell you that my office and so many others have had to deal almost daily with clients who were uncertain and at a loss to find their way through the maze that has been created. There is a critical need to simplify the current legislative measures and to streamline the processes so as to create a user-friendly, cost-effective system of real citizen protection and support.

But this debate, as you will no doubt appreciate, provides us with much more than an opportunity to bring about changes to legislation that is desperately in need of reform. This debate, like no other thus far in the legislative session, gives us all the opportunity, the forum and indeed the motivation to delve into the critical issue of what is and should be the essential role of government in society.

This is an issue that requires our utmost attention and that must be clearly understood. As members of society, as members of the Legislature, as representatives of the people of Ontario, we all have a positive obligation to continuously define and assess government's role. One's vision of government fundamentally influences one's political perspective, ideology and affiliation.

There are those individuals who expound the need for large government characterized by social and economic interjections. Such a government believes, at its most basic, that government is the only tool by which meaningful change occurs. It promotes continual government involvement in the daily lives and daily affairs of citizens to achieve ends designated by it. It is convinced that it is entirely justifiable for a government to act intrusively if the end goal is the achievement of its notion of equity.

This is the political approach the former government brought to Ontario, and it is the philosophy behind the NDP's Advocacy Act, Consent to Treatment Act and Substitute Decisions Act. Because this legislation has been draped in this philosophy, these acts have had a very difficult existence and have failed to achieve public acceptability.

1520

Now we have a new government in power that goes beyond even old-style Tory politics and that is demonstrating how enthusiastically it will attack the social fabric of Ontario from the other extreme of the political spectrum. This philosophy promotes a mass government exodus from society with few regards to the repercussions. Its prime objective is stated to be spending reduction and it appears to be willing to achieve that at all

social costs. There appears to be little government concern that the result of its arbitrary and across-the-board spending cuts is a rapid movement towards a much less equitable social structure. Whereas the NDP policies hit the middle and upper classes exceptionally hard, the Tories are attacking the less fortunate groups to promote the benefits of those least in need.

Although from a different end of the spectrum, this government seems content on continuing an ideological war that has bogged down Ontario for the past five years. Let me tell you, Mr Speaker, that Ontarians will not suffer being the victims of such political extremes much longer.

What Ontarians do want, however, is a debate on the issues and a debate on the policies according to merit, according to quality and according to the needs of Ontarians, and what Ontario needs is not total government control or total lack of government involvement; we need to find a clear middle ground that provides for government involvement only when necessary, but to a level that achieves the objectives required to govern fairly and justly. A government that fails to act or fails to control its zealotry fails to live up to the expectations and needs of the public.

The debate surrounding Bill 19 and the acts it intends to repeal and amend is a good example of the problems that can be generated when government operates with blinders on while ignoring fundamental considerations. As is evident from the bill's title, three existing pieces of legislation are at the core of Bill 19: the Advocacy Act, the Consent to Treatment Act and the Substitute Decisions Act.

Let me begin with the Advocacy Act. The term "advocacy" is a relatively recent concept and is representative of the changing nature of society and its growing complexity and expansion in terms of our laws, policies, procedures and indeed our human service programs. Society's increased consciousness of advocacy can be derived from a global trend that is placing a higher premium on the virtues of legal and human rights.

Bill 74 was introduced by the former government and proclaimed law on April 3, 1995. Its intent was to provide advocates for people who have trouble getting their rights and wishes respected due to temporary or permanent physical or mental disability, illness or frailty. It also established an Advocacy Commission to coordinate this process.

The act's objective—to empower vulnerable citizens—foundered because it focused too much emphasis on augmenting the power of advocates rather than improving the rights and capabilities of vulnerable people themselves. I believe few individuals would object to the argument that the long-term, lasting solution should be the promotion of self-advocacy by which vulnerable persons learn the skills and knowledge that provide them the independence to solve problems on their own. Instead, the Advocacy Act broadened the scope of government by creating an excessively bureaucratic and expensive structure that worked against the independence of individuals.

This new system worked towards undermining the role of families by enhancing the power and rights of poten-

tially untrained advocates. Advocates were granted vast rights of access to records, as well as entry to institutions and premises, including private homes, for the purposes of providing advocacy services. Furthermore, advocates could obtain warrants for entry when they had been prevented from meeting with a vulnerable person.

It is a fact that terrified Ontarians, seniors in particular, flocked to lawyers' offices to seek advice, fearing that they and their families would have a diminished role in their own affairs.

This far-reaching legislation opened the door not only to enormous implementation and operating costs, estimated to be as high as \$30 million to \$50 million annually, but also to the very real potential for abuse.

The Minister of Citizenship, Culture and Recreation, here with us today, stated in July that the government would repeal the Advocacy Act and "develop an alternative approach to delivering advocacy services." She went on to say that the "measures that we intend to develop will help to ensure that the interests of vulnerable people are protected and that they can participate in decisions that affect their lives."

Part I of Bill 19 does indeed repeal the Advocacy Act, including the abolition of the Advocacy Commission, which I support. Taxpayers spent almost \$18 million setting up the commission and hiring rights advisers. The new government acknowledges that the commission has not even begun to delve into its mandate of advocacy, but rather has thus far focused on community education and outreach.

However, I ask, where is the real plan to establish a long-term, lasting solution to the advocacy problem? How is the government going to assist vulnerable citizens to develop self-advocacy skills?

This is exactly the type of problem to which I made reference earlier. The former government went so far as to create an overly bureaucratic, unworkable situation that empowered the wrong people, while the current government is so eager to reduce spending that it fails to deal with the critical issue. Surely it is the role of government to lead and to seek balance. We believe that the spotlight must be focused on those who matter most in this issue: the vulnerable.

I will not devote a great amount of time to part II, the Health Care Consent Act, as my colleague from Oriole has already spent a considerable amount of time on this portion of the bill. I would, however, like to make a few comments from a legal perspective.

Firstly, I believe that the bill incorporates some necessary changes that will streamline the process by removing many of the bureaucratic barriers currently in place that create very lengthy and complicated procedures, particularly in terms of the rights advisers.

However, I have a concern that with the removal of rights advisers, a void will be created that leaves patients in limbo. The reforms now being considered are intended to clarify the many rights and obligations involved in these areas. It would be unreasonable to leave this very crucial aspect of the act unclear, thereby failing to fully guard patients against abuses while jeopardizing the

integrity of the act itself. We must ensure that a process is in place that outlines treatment rights of patients and ensures that those rights are easily communicated to the patients. A patient unfamiliar with his or her rights is a patient without any rights.

Let me now turn to part III, the proposed amendments to the Substitute Decisions Act. The law is intended to provide individuals with more control over the direction of their lives in the event they become incapable of making their own decisions. This includes respecting people's choices made before they became mentally incapable, as well as their current wishes.

The legislation has been further designed to recognize the importance of the role of family members during these stressful and difficult times. Finally, one of the other main objectives of the act is to limit public guardianship and other government intrusions into private family matters. The Substitute Decisions Act also outlines the procedures by which decision-makers may be appointed for mentally incapable persons.

Many of these broad objectives were incorporated into the original act and are further enhanced in the current legislation. I believe all members of this House would agree that these are honourable objectives, as demonstrated by the legislation's original support by all three parties.

1530

I will acknowledge that this new amending legislation does take steps to improve the current act, particularly in terms of simplification and ease of understanding and reduced bureaucratization. The role of the public guardian and trustee has been clearly defined as one of last resort, actually being prohibited from being appointed guardian unless no other suitable individual is available. This is something I support. Furthermore, the requirements involved in appointing and activating a power of attorney will be made simpler. These are all steps forward.

Let me now remind the House of some of the difficulties the last government experienced with the original legislation. As I'm sure you remember, there was an enormous controversy surrounding the passage and implementation of that legislation. Vulnerable people, their families and citizens at large began experiencing considerable anxiety and indeed fear from the legislation that was intended to assist and protect them.

This environment of insecurity developed from the confusion generated by the legislation's own complexity and lack of clarity and was very damaging to the act's objectives and public acceptability. The problems were preventable. The legislation should have been designed more concisely, with public interpretation in mind.

The government of the time also failed to undertake at the initial stages a communications strategy that would have adequately explained to the public, particularly the vulnerable citizens and their families, the real intentions of the legislation and individuals' related obligations.

Instead, misinformation and public confusion ran rampant. The public, including a large proportion of the senior population, understood the act to suggest that if one did not appoint a power of attorney, the public

guardian would automatically step in in times of incapacity. The chaos that developed forced the government to attempt damage control by preparing and distributing a detailed information package.

Let this be a lesson to the new government. We are dealing with an extremely sensitive issue and it is imperative not only that this new legislation protect the most vulnerable citizens in society against hardship and fear but that the public also understand and accept these as the legislation's objectives. Do not make the same mistake as your predecessors; take steps to communicate these changes clearly and in a timely fashion to the public.

Because of the sensitivity and importance of this matter, I would like to think that the government has already undertaken a process of widespread consultation to solicit input from the community, particularly those individuals who have experienced the system from within. Those who have firsthand knowledge of the power of attorney and guardianship processes would provide invaluable insight into the problems and difficulties, highlighting those areas needing the most attention.

My concern is that the government has not conducted such consultation, has not reached out to the people who must live with these changes. Now that the legislation has been prepared, there must be an opportunity for the public, involved families and advocacy groups to review the clauses, assess their impacts and provide feedback to the government.

Public consultation should not be viewed by any government as an obstacle or diversion or hindrance to the legislative process. We must always remember that we are working here on behalf of all citizens and must never allow the direct lines of communication to be broken.

I must point out that public reaction to legislation, whether in committee or public meetings, is never as effective or as acceptable as true consultation prior to tabling a bill. We, as public representatives, must come to accept the citizen's right to active involvement in the policy development process.

I will be supporting this legislation on second reading. We will be submitting, however, amendments that I firmly believe will strengthen this legislation. While I have already touched on most of the areas I believe need amending, I will now reinforce the legislation's shortcomings and outline specific recommended changes. I also look forward to discussing them further in committee and hope the government will consider our amendments seriously.

The elimination of rights advisers, for instance, may create a situation in which vulnerable citizens are left without an adequate safeguard of their rights. It would be truly remarkable, truly ironic in Ontario, if our society, which is increasingly influenced by the Charter of Rights and Freedoms, the most powerful rights protection legislation in the country, failed to ensure the protection of rights of this province's most defenceless citizens. There is a real and obvious need to ensure the existence of a rights process which these people can manoeuvre within, and easily.

This is consistent with the principle of natural justice, that an individual has the right to know. This means that there is a right to know one's individual rights and the right to know the procedures involved in exercising those rights. We will look to enhance the legislation to include such a right to know. This requires a positive obligation on professionals to inform people of their rights.

As my colleague from Oriole has already pointed out, this could be achieved through agreement by the various colleges regulating the professions to establish clinical guidelines that clearly and explicitly outline the obligation of members of the professional community to inform people of their rights.

We will also propose that the professional colleges be subject to a legislative requirement to develop clinical guidelines with regard to consent to treatment. This builds effectively upon the notion of an individual's right to know. It is also consistent with the widely accepted principle that an individual has a right to make informed decisions based on all the facts.

I know all members of this House would agree that it is essential, that it should be a fundamental precept within the legal and health care fields, for there to exist a broad understanding and a broad acceptance of the undeniable right of individuals called upon to make important decisions to have in their possession all of the relevant facts and information. Any decision that is not an informed decision will likely be a bad decision and potentially even a dangerous one.

I am also concerned with the legislation's apparent lack of guidelines respecting the definition of "capacity." The bill leaves such determination to clinical practice. While mental and physical capacity are extremely difficult concepts to manage, I believe there should be a framework in place that provides some direction, some basic criteria, rather than leave these important determinations to the discretion of individual practitioners, with the discrepancies that may result. I fear that this could open the door to the possibility of an increased level of litigation, thereby complicating and lengthening the process unreasonably.

However, there must also be a broadly accepted understanding of the notion of consent itself. It is not enough simply to enforce a right to know and an obligation to inform. The granting of consent involves more than the simple disclosure of all pertinent information. The individual must be mentally competent to grant that consent and must be doing so voluntarily. There must be safeguards in place to protect against abuse. There must also be a clear process to follow in the event of incompetency. These are areas that still require to be refined under the legislation.

Therefore, we must ensure not only that the concept of consent to treatment be understood by health care professionals, but that it be applied to all sectors of the health care field. Furthermore, the solution of ridding the system of rights advisers and placing more responsibilities on the shoulders of the family is not as simple as the government may think.

These amendments would work hand in hand towards establishing a framework that would guarantee basic

individual rights in this sector. They would reinforce a unique relationship between patient and health care practitioner in which the practitioner has an obligation to inform and the patient has a right to know and therefore a right to grant an informed, voluntary consent.

We are of the view that the proposed legislation ought to be strong legislation, setting out a series of general principles with wide application in a broad number of settings, rather than relying on current various legislative mechanisms that only serve further to confuse Ontarians.

We feel that the discussion of this legislation is timely, and I hope the government will consider seriously our amendments which are designed solely to give the people of Ontario the strong and clear legislation they deserve.

1540

The Acting Speaker (Mr Gilles E. Morin): Questions or comments?

Mr David Tilson (Dufferin-Peel): I'd like to congratulate the members for Oriole and Downsview for their presentation on the bill and their indication that they are prepared to support the bill in principle.

I would like to make a couple of comments with respect to particularly the member for Downsview's remarks. I think I'd like to clarify one issue that she came out with, and that was with respect to the sole purpose of this bill being to get rid of the Advocacy Commission. Certainly that's a consideration, the consideration of the \$18 million that you mentioned to set it up, but that's not the sole purpose.

The sole purpose is to do a number of other things: increase accessibility; reduce complexity, the confusion in the health field in particular—people have no idea what to do with the existing legislation, and we intend to fix that; reinforce the positive role of service providers and family—as the member for Oriole mentioned, we intend with this legislation to go further than that, to go further than what the current bill is, to make it easier for more family members to be guardians of property without having to go to court; restore the balance between the individual's right to control his or her life and the need for protection of mentally incapable people.

With respect to the consultation issue, I'd like to remind the member for Downsview in particular that we have gone through in this House, with the previous New Democratic government, at least two sets of hearings. Every member who ran for office, certainly re-elected members for office, went around—I held individual hearings in my riding and I know other members of this House did the same thing—to try to explain to people the purposes of the existing bill.

In doing that, we found out ourselves, in our own consultations, the problems with this bill. The government's going to get out of the face of the electorate in this province.

Mrs Margaret Marland (Mississauga South): I think the singular effort of the Ministry of the Attorney General in bringing Bill 19 to this House so quickly is something I would have hoped my esteemed colleague the member for Downsview might have referred to, because of her own professional background, which is

very creditable. She has obviously achieved a great deal already in her young life.

I thought that in speaking to this bill she might have commended Charles Harnick, our Attorney General, for the fact that he has cleared up some of the outstanding questions about the legislation in terms of the Advocacy Act and the Consent to Treatment Act that the previous government passed.

I say to the member for Downsview that I chaired the government agencies committee which approved some of the appointments of the members to the Advocacy Commission. I suggest, with respect, that had you been in that committee hearing at the time those interviews of those appointments were taking place, you would indeed share some of the concern that all of us had about how the Advocacy Commission could function with such biased people sitting who were appointed to that commission.

Mr Gilles Pouliot (Lake Nipigon): Whoops. That's not entirely fair.

Mrs Marland: I'm sorry to upset the member for Lake Nipigon by saying that, but it was indeed a fact. I'm glad that this legislation will remedy—

The Acting Speaker: Thank you. Your time has expired. Any further questions or comments?

Mrs Helen Johns (Huron): I just want to make a couple of comments that relate specifically to the health part of the act. Basically, I'd like to say that I want to draw to your attention, as I think the other two members have, that we believe consultation has happened. There were over 200 consumers heard in 1992. We all feel that there was consultation when we rapped at doors during the election. We had two years of intensive consultations. We believe that we know the views of many of the people on the street who are dealing with this on a day-to-day basis.

The thing I wanted to talk about was the rights advice. You suggested that there was a need for rights advisers. I want to comment on our position with respect to rights advisers. We believe that there's no need for outside third parties and regimented requirements about how to provide rights advisers. We believe that these matters can be discussed between the health practitioner and the family and/or people who are dealing with the concerns of an individual.

We believe that we have to encourage health practitioners to provide information about the review process and the policies that a person can take if they don't like the decision. I know that we can always look at it and say the health practitioner isn't going to act in the best interests of a person who needs help or is incapable, but we believe that, through the colleges and all of the advisory boards we have, in effect the health practitioner will act in the best interests of the people, and we believe that the families are the best people to talk to with respect to that.

That's the one thing we have that we feel differently on than you, that the rights of an individual will be taken into effect and that they will get the information they need to make the best decision about their health care.

The Acting Speaker: Any further questions or comments? If not, the member for Downsview has two minutes to reply.

Ms Castrilli: First, I'd like to address the comments made by the member for Dufferin-Peel. I think he misunderstood what I may have said. I did not suggest, nor was it my intention to suggest, that the only aim of the bill was to scrap the Advocacy Commission, although if that's all that it did, we probably would agree with it in any event, because the Advocacy Commission did not function extremely well, as in fact I've indicated. I'm sorry if I was misunderstood; that wasn't my intent.

We are in agreement that there needs to be a streamlining of bureaucracy and there needs to be accessibility. I don't think that's the issue. Our amendments were to try and strengthen the process.

I want to thank the member for Mississauga South for her very generous comments with regard to my person. I'm not so sure I'm quite as young as she thinks I am, but thank you, nevertheless. I share her concerns, as I've indicated in my previous comments, with regard to the Advocacy Commission.

As for the member for Huron, I think the consultations with respect to this current legislation have not taken place. I don't think that door-to-door polling that we've all done during the election is quite sufficient. I think we need to talk to the professionals in the various fields and I hope you will do that.

I have some concern about your leaving everything to the practitioner and the families to negotiate between them. I think practitioners would be very much in favour of standards to follow. It is unfair to ask them to make decisions without those kinds of standards, so we'll be looking to put some amendments forward at committee to give a kind of code of conduct to be of assistance to practitioners and their families, because in those very critical times it's incumbent on everyone to know exactly what the guidelines are and how to apply them.

The Acting Speaker: Any further debate?

Mrs Elinor Caplan (Oriole): I believe there is unanimous consent so I can complete the leadoff for the official opposition.

The Acting Speaker: Is there unanimous consent? Agreed.

1550

Mrs Caplan: I'm going to begin my remarks today by trying to pick up the train of thought I had when I last discussed this very complex piece of legislation. At the time I was debating it last week, I was discussing alternative advocacy models or alternative models that would include some form of advocacy. I thought that before I went on to get technical about proposing ideas and solutions, I would put on the record, for members who are new to this House, what has been said about the need for advocacy. This is not new. I mentioned the reports by O'Sullivan and Manson in my last presentation. The report by Sean O'Sullivan says this—very brief—in the executive summary:

"Ontario needs advocacy.

"More particularly we, as Ontarians, need to be advocates.

"Most of us already are. We can do more.

"If we are to improve our society, we must.

"Primary responsibility for advocacy must remain with us as individual citizens, as families, as friends and as neighbours of Ontario's vulnerable population.

"Primary responsibility for advocacy education, and the development and support of advocacy services, is the proper role of government.

"Therefore, this review of advocacy, having considered Ontario's needs and options, recommends a shared advocacy model for this province.

"While recognizing the need for equally dedicated, professionally trained, and suitably paid advocates, this review has concluded that the heart and soul of advocacy services will depend upon caring volunteers."

That report was commissioned by a previous Conservative government; they reported in 1987. For those people who perhaps, after they listen to this debate, ask a question like, "What is 'advocacy'; what are you talking about when you talk about 'advocacy'?" I thought I would share Sean O'Sullivan's view, the late Father O'Sullivan, when he said:

"'Advocacy' means 'non-legal' or 'social' advocacy, as opposed to 'legal' advocacy.

"'Social' advocacy entails speaking or pleading on behalf of others with vigour, vehemence and commitment by using non-legalistic resources: A social advocate, unlike a legal advocate, does not directly invoke or participate in the legal process to obtain the desired result....

"Social advocacy includes the following four basic principles:

"Advocacy must be client-directed or 'instruction based';

"Advocacy must be administratively and fiscally independent of the human service delivery system;

"Advocacy must be accessible;

"Advocacy is not necessarily adversarial."

The evidence presented in this report "identified a clear need for a coordinated and effective advocacy system in Ontario."

There were also in this report 12 items identified as components of advocacy. They're simple, they're clear, and I'm not going to spend a lot of time.

(1) "Safeguards against unnecessary guardianship." That means protection of the individual.

(2) That any advocacy system must be independent.

(3) That we encourage self-advocacy wherever possible. We want self-sufficiency and we want self-determination.

(4) That advocacy enhances the role of families and volunteers.

(5) That we educate family, volunteers and communities, that we de-label and destigmatize and identify gaps in service and promote awareness that advocacy is everybody's business.

(6) Flexibility, and that we recognize that there are special needs and geographic requirements in this very multilingual society.

(7) That it be responsive: That it relay our personal concern, that it carries forward complaints and endeavours to resolve them. So you're looking for alternative dispute resolution, not a legalistic mechanism.

(8) Advocacy should promote cooperation between providers and ministries.

(9) Advocacy should be accessible.

(10) That it seeks improvement in programs; in other words, that advocacy is reformatory as opposed to destructive.

(11) That whatever advocate you have has some clout.

(12) That advocates be accountable.

Then it says, "Measuring the five models against these criteria, the review recommends the shared advocacy model as the most appropriate and effective method of delivering advocacy services to Ontario's vulnerable adults."

I don't think there's anyone in this House today who would disagree with the objectives and the desires of the O'Sullivan report that was tabled in 1987. There's all kinds of evidence that there is a need to advocate on behalf of vulnerable adults who are unable to advocate and express their own wishes for a host of reasons.

That doesn't mean you have to bring forward, as the former government did, an anti-professional bias in your legislation. That certainly was never the intent. It should not be adversarial and confrontational. You can have an advocacy model without those features. That was where I think the former government made a huge mistake.

We saw that in the way the Advocacy Commission was established. We were all very critical of that. It was never a place where people could come together. The very appointment process was flawed and it created an environment which, frankly, self-destructed. No one could have respect for what was produced, because you could see that they couldn't find a way to work together to meet those objectives of advocacy, so in my party and in the Conservative doctrine, we all supported the abolition of the Advocacy Commission as it was constituted by the NDP. But we also both said we would find alternatives to that badly flawed model.

In the time remaining, I'd like to put forward some suggestions and also say to the government that you committed in your Common Sense Revolution document to come forward with a model that would provide support services to the most vulnerable in our society. You never said you were going to scrap all advocacy services in the province of Ontario.

I'd ask during the time that we're having this discussion and this debate in a very thoughtful way that you consider some alternative models for advocacy, which can be accomplished in a very inexpensive way. I support the use of volunteer advocates, I think a shared advocacy model is good, and I also think we can build on the foundation of what was.

Along those principles, I would go back now to my remarks where I had suggested that you don't need a new Advocacy Act. I believe that advocacy can be accomplished within the Consent to Treatment Act. I've always believed the Ministry of Health should have the lead on

this, and I can tell you that I had wonderful discussions with my colleague Ian Scott, when he was the Attorney General, as to where the carriage of advocacy should be. I still believe you could incorporate it in the Consent to Treatment Act and that that's the appropriate place, that if you don't want it to be legalistic and bureaucratic, it shouldn't be with the Ministry of the Attorney General, which tends to legalize everything.

I also believe it should be independent. Therefore, if you enhance the responsibilities, the mandate, of the Consent and Capacity Board in your new legislation, I think you can effectively provide appropriate and inexpensive advocacy services.

I don't think anyone is expecting you, in these times of fiscal restraint—and we suspect we know what's coming next week—to spend a lot of money on this. But \$18 million was spent on the NDP model, and if you took \$1 million of that—or if you didn't want to take that \$1 million, under the old legislation the office of the public guardian and trustee was enhanced dramatically, and I think you could take some money from that and find the resources within the present advocacy dollars. I'm telling you where to find the money; I'm not calling for any new money to accomplish this. The money is there and I think it could be provided reasonably and efficiently and inexpensively.

I talked before about an office of advocacy within the purview of the independent Consent and Capacity Board, and I also think you need to have an office of provider advice. If you change the mandate of the Consent and Capacity Board to also include education, I think that would be a very important new mandate. I also think there should be an opportunity for a coordination of existing advocacy services and the provision of advice.

1600

If the mandate were not only review of appeals but those other components, you would come much closer to, and I would advise you to look at, the Australian model for advocacy services, consent and capacity. I think it would fit very well into your budget and also the needs of the province of Ontario.

There's one other thing I want to mention when we talk about the foundation of advocacy, and that is the role of the Psychiatric Patient Advocate Office, the PPAO, as it is talked about. It has always been located in the Ministry of Health. The previous government's intention was to move it into the Advocacy Commission. I didn't object to that except for the view that if the commission was such a disaster and everybody was going to appeal it, if it was going to hurt the services of the PPAO, then I objected. I believe it would have harmed the services provided by PPAO and, because of our desire to see the Advocacy Commission eliminated, I felt that the PPAO should remain as is.

The PPAO right now only has mandate responsibility for the patients in provincial psychiatric hospitals. One of the major flaws in this bill is that it doesn't say how it's going to address the needs of patients in general hospitals. That's left silent. That is a very important and serious issue, because you leave in place the need for rights advice and advocacy services in the Mental Health

Act, but not all mental health services are provided in provincial psychiatric hospitals.

The PPAO has been very effective in meeting the needs of the patients in provincial hospitals. I was very impressed with the lobbying campaign from those patients during the previous government's bill; they let us know just how good the PPAO was. Because it's that good, I hope not that much damage has been done to it that can't be restored and repaired. But I believe you should give them the mandate for providing service to patients in general hospitals. They have the expertise, they have the knowhow, and I would be very comfortable if you wanted to move the operation of the PPAO into this other sphere, with the Consent and Capacity Review Board an advocate office as well as an office of provider assistance.

I would say to the member for Huron, who speaks very eloquently, that the history in Ontario suggests that not only does father not know best, but not all service providers know best. They need help and advice from time to time on how to make sure that individuals have informed consent.

One of the things that's missing from this legislation—I hope the government brings forward amendments to address it; we certainly will be and hope they would accept them—would be changes to the Regulated Health Professions Act that would give the mandate to the colleges of the regulated professions to establish the guidelines and the protocols and procedures that are so important in order to make sure that providers have the confidence to know they're doing it the right way and also that they can then be held accountable against those standards as professionals.

As the member for Downsview so excellently and eloquently made that argument, it is very important that we have the comfort of those kinds of guidelines being legislatively in place, and the place to put those, I believe, is noting it in this act. As you have noted in this act that there would be changes to the Regulated Health Professions Act that would update the profession of health practitioner, I think you could also note in this act the obligation under the Regulated Health Professions Act and the amendment to that act to require the colleges to establish right-to-know guidelines. That would be a right-to-know provision in the legislation.

I'm proposing that you look very seriously at the Australian model. I think it is doable, it is possible, it is affordable and, after my conversations with someone from Australia, it's working very well, and I would recommend that to you.

I would recommend that the PPAO, the Psychiatric Patient Advocate Office, also have responsibility for support of mental health patients in the general hospitals.

There's one other thing I would like you to take a look at. The old act that you have amended, under "Consent," had an outright ban on electric shock aversion therapy, said it was illegal. It has been the policy at the Ministry of Community and Social Services and in Comsoc facilities for quite some time to have an absolute ban on the use of that. For people who are watching, I'm not talking about electric shock therapy for mental health

patients. This is what has been referred to in this House as the "cattle prod." There are those who will say, "Oh, it's not very painful and we should be able to use it," but it has been judged as inhumane when used against disabled persons in facilities because of incapacity, primarily in Comsoc facilities and others. This legislation removes that ban.

I'd like to suggest an alternative. This is not under normal circumstances considered a medically necessary procedure. I will admit that. But it is not a banned procedure by the College of Physicians and Surgeons. I can't think of very many other procedures that the Ontario government bans outright or that are deserving of bans. But because of the highlighting of this type of therapy, I think the other alternative would be to allow an appeal to a board such as the Consent and Capacity Review Board. They're there already. They do reviews of competency. They have the expertise.

I was approached, as a matter of fact, by one of the parents who are in the process now of suing the government for the right to have that therapy for their son, who suffers from a self-destructive disorder. My heart was touched that she had no place to go except into the court system.

Now, I don't believe this therapy should be able to be used frivolously or capriciously or easily. Frankly, I'm not prepared to leave it up to clinical judgements, because there are no clinical guidelines for the use of this therapy. I would be much more comfortable with leaving a ban, provided that you could get an exemption from the Consent and Capacity Review Board, non-legalistic, quick, where they could look at the information and say, "Under the following guidelines, we are going to permit the use in this case."

There are many precedents in this House where you ban "except when." You could leave the ban in place except when the Consent and Capacity Review Board has approved the use of the procedure. I don't think you would have more than two or three cases that would apply for this on an annual basis—maybe five, but certainly not a huge number. My concern is that if you remove the ban, the number may become more than five, and even though we have heard that Comsoc would keep this ban in place, once these kinds of things become acceptable and there's no law but that it's a policy, my worry is that there may be abuse. I'd ask you to think about that. That was one of the things I wanted to mention.

The issue of acting in someone's best interests: I wanted to raise that in the closing minutes of this debate. There's a presumption that family will always act in your best interests. They don't. I cited the case of the families who can't wait to put Aunt Nellie in the institution, have her declared incapable and get their hands on her money. We hear constantly cases of elder abuse and abuse of disabled persons. Unfortunately, they are abused by their families and they are abused by their service providers. So to make a blanket statement that families and service providers are always going to have the best interests of their clients, patients, wards, charges, is just not true.

I wish it were. I wish I could stand here and say that they always had the best interests and that there were never cases of elder abuse and that there were never cases of abuse of disabled persons. That's not the reality. It's not the reality today; it never has been the reality. I hope some day it will be, but it will require education and vigilance and the ability for someone to intervene when there are cases of abuse. That's what advocacy is about and that's what this legislation is about.

1610

I'm going to give you an example. Competent persons have the right to refuse treatment. Competent persons have the right to consent to treatment before it is given to them or done to them. Now, we sometimes assume that if you refuse treatment, that means you're automatically incompetent, but there are many cases where that is not true. For example, we know that there are individuals who refuse blood transfusions. They are competent and, because of their religious conviction, they are consenting adults and they say, "We refuse." They have the right to refuse.

But the question is, do they have the right to refuse treatment on behalf of minors, their children? The courts have said no, they don't have the right to refuse, that the children are not capable of making the decision for themselves. The courts have intervened in those cases to decide what is in the right and best interests of that individual.

I could stand here and take lots of time with lots of examples of what different people will decide is in their best interests or in the best interests of their children, but it is important when we discuss substitute decision legislation, which gives an individual, an adult, the right to decide who will decide when they are unable—and I tell everybody, this legislation is not for seniors. Substitute decision legislation is for anyone, I think, over the age of 16 who is able and capable to have views about what they want to happen to them should they be in an accident, be unconscious, develop a disease such as Alzheimer's. That's what the substitute decision legislation is about. I support that and I believe that it is good and I think we have to tell everybody: "This is not legislation for senior citizens. You should all be aware and concerned that that's the way that you entrench your rights."

I had a call recently from a constituent who had read the consent form when they went into hospital and realized that they were waiving all of their rights when they signed that consent form, that unless they were very specific about what they wanted to have happen in case of a cardiac arrest, for example, the hospital would do what it thought was in the best interests of the patient but not necessarily what the patient wanted.

So as this debate winds up, I say to the government I am very supportive of the principles of this legislation. I believe that the changes to the substitute decision legislation by and large are good. I think that the changes to the consent legislation are needed and many of them I have no difficulty with at all. There are a few things missing and I hope that you will amend the legislation to address those. I've put them on the record and I hope that I've

made my case here. I will be making the case further at committee.

More than that, I'd like you to think about advocacy, because I think you make a mistake if you just remove yourselves and you say that government has no role in the coordination and the education, the identification of volunteer advocates and the identification of advocates who are in many agencies across the province. If your role were nothing more than education and coordination and advice, then I think that would be a really good beginning and you would have met the test of O'Sullivan at least in first steps.

But if you're not going to bring in an advocacy act, please consider amending the Consent to Treatment Act, because there is an opportunity within that act to achieve those stated goals in an inexpensive and effective way. The people of Ontario are depending on you. Not all of the people on the street who are waiting for their tax cuts, not all of the people on the street who are worried about, "Am I going to have child care tomorrow or am I going to be able to feed my family after the welfare cuts?"—advocacy services may not be at the top of their mind—but there are vulnerable people who perhaps don't know that they are going to need advocacy services, and those people depend on all of us in this Legislature to speak out on their behalf.

You have an opportunity that I hope you will not miss to amend the consent legislation to provide the beginning of an advocacy network and some policy development and some advice to providers, advice to families so that people can find the services that they need, because right now they don't even know who to call. I get phone calls from people who say, "Who do I call?" and it is not easy to advise them where to get the best advice.

I hope that this will be a thoughtful and informed debate, not one that's filled with all kinds of rhetoric, because these issues have been around for a long time and this government made commitments during the election to do something other than just scrapping the Advocacy Act. It's with those thoughts that I conclude this debate. I look forward to the committee hearings and I look forward to the government's approach to many of the issues that I have raised.

I also want to congratulate the member for Downsview for a very thoughtful presentation. I think that as a lawyer she brought a very important perspective to the legalities of this piece of legislation. We don't want laws such as this to be too legalistic and bureaucratic and cumbersome. We want people to be able to access them in a way where they understand the language, they know what is in their best interest, they can make their wishes known and they know there is somebody there to help them.

The Acting Speaker: Further debate?

Mrs Johns: I'd like to thank the member for Oriole for her thoughts. As usual, she has a vast range of experience that she brings to the comments on health. It helps us to hear what she says and to understand where we're going.

I just want to make a few comments about what she said. The first one I'd like to talk about is this act and

how it presumes that a person has capacity. I think this is something that I missed in what you were saying today. I think that we have a presumption, first off, that a person is capable—

The Acting Speaker: The member for Huron, there are no questions and comments, because we already had one. Further debate?

Mrs Johns: Sorry; I apologize.

The Acting Speaker: We had questions and comments after the member for Downsview spoke, and this is the reason why I didn't ask for questions and comments. So it's now further debate.

Mr Pouliot: On a point of order, Mr Speaker: Would you kindly check if a quorum is present, please?

The Acting Speaker: Would you please check if there is quorum.

Clerk Assistant and Clerk of Committees (Ms Deborah Deller): Speaker, quorum is present.

The Acting Speaker: Further debate?

Mr Tony Silipo (Dovercourt): Mr Speaker, we beg your indulgence. Our critic is just on his way in from committee, the member for Fort York, who will be next in the rotation.

The Acting Speaker: I'm sorry; I didn't hear you.

Mr Pouliot: Our speaker is just about, as we speak, making his way up here in the chamber. I thank you, Mr Speaker.

Mr Rosario Marchese (Fort York): I would like to request the members' consent for us to be able to use our 90 minutes with various members who would like to speak on this.

The Acting Speaker: How many speakers would there be?

Mr Marchese: Mr Speaker, do you need to know whether there are two or one? Is that the case? There are only two, Mr Speaker.

1620

It's a pleasure for me to speak on this issue, for a variety of reasons. We were just discussing employment equity, which has some similar kind of nuances as we discuss this particular bill. Employment equity was an attempt to deal with systemic discrimination, and their elimination of that, the repeal of that act, leads us to something we've had in the past, which was an equal opportunity plan where everyone was on their own and if they succeeded it was great and if they didn't succeed we didn't worry about discrimination for those particular target groups that we felt have traditionally been discriminated on.

I want to speak in particular around the whole issue of advocacy and as well around the Consent to Treatment Act, and my other colleagues will make references to a similar section and other sections of this act.

I'd like to touch on some brief history of why the need for an Advocacy Act, which this government is repealing. For the last 17 years, consumers and advocacy groups have all recognized that adults with disabilities and frail

seniors, because of their disability, are often treated less than equal and are particularly vulnerable to neglect, abuse and exploitation.

The former Conservative and Liberal governments have commissioned extensive studies on the situation of vulnerable adults. The most notable of these were the Fram report, released in 1985, and the O'Sullivan report in 1987. Both documented the plight of vulnerable adults, especially in institutions, and unequivocally called for an independent advocacy system in Ontario.

I want to make some references to what Father O'Sullivan had said, and I'm sure he's very familiar to the members opposite. In the report, which is a landmark report called *You've Got a Friend*, he highlighted the following:

"That an alarming number of vulnerable adults living in the community had been abandoned, neglected or abused by families and friends;

"That existing advocacy services were fragmented, underfunded and available only to a limited number of vulnerable adults;" and

"That they were mainly provided by employees of service agencies, who frequently found themselves in conflict-of-interest situations when trying to advocate for vulnerable clients."

He also said that advocates had "excessive workloads, little direction, minimal supervision or training and limited accountability."

He said in another quote, and I think the members who are listening will find this interesting:

"The determination of whether or not to establish a provincial system to provide advocacy services can only be fairly and properly made when the cost of providing services is compared with the cost of not doing so.

"It is not possible to measure the cost to our society of failing to make available effective advocacy services to all our vulnerable citizens who have been abandoned, neglected or abused. The loss of their human dignity and self-respect, the denial and infringement of their legal rights and the diminution the community experiences when one of its members is neglected and unable to participate and contribute to the life of the community to the fullest possible extent cannot be measured.

"While responsible government officials must consider the cost of providing effective advocacy services, we believe that when proper account is taken of the human costs of failing to provide these services, the interests of vulnerable adults will prevail."

These are important words by someone who devoted a great deal of time to the caring of the people he was speaking to here. What he is saying: that the costs of not having an advocacy system are immeasurable; that the costs are high not to do so, and the costs are high at the human level and at the economic level.

What this government is doing by abolishing the Advocacy Act is, in a great measure, undoing much of what Father O'Sullivan was saying. I'm not sure this is the intent of what the government is doing or wanted to

do with respect to the repeal of the Advocacy Act, but the effect of it is to undo most of what Father O'Sullivan said on this issue.

The need for advocacy is greater than ever. What is more, the need must be met in a climate of increasing economic restraint. There is a role for all those involved in disability issues—consumers, family members, service providers and government—to work towards the elimination of abuse and marginalization, both systemically and individually.

We need to look at the abuse. I want to make reference to some of the abuse because, by eliminating the Advocacy Commission and the Advocacy Act, we will be left with those cases to which all of those advocates have spoken in the past, and I made reference to Father O'Sullivan.

From the *Toronto Star*: "Miss P was put in a Metro area hospital by her family because the confused elderly woman often wandered away from home. The hospital tied her into a wheelchair by day and bed at night. She was kept in restraints almost continuously for the month before she strangled on her restraint. Miss P was the second patient in five years to asphyxiate on a restraint in this hospital."

Another example: "Miss S burned to death after setting her restraint on fire in an attempt to get free in a Windsor hospital. Miss S, who spoke only Cantonese, was put in restraint after she started pestering patients and nurses, urgently trying to communicate something that no one else could understand. A package of matches was left in her pocket. The nurses discovered her flaming body only after a heat detector sounded an alarm."

We say that if the Advocacy Commission had been in place at those times, in those particular situations, advocates could've helped, could've come across these people during their visits to institutions, taken instructions from it or expressed their concerns about the patients' risk of serious harm, and reviewed hospital policies and practices about the use of those restraints. For incapable patients, advocates could've contacted family members and brought their concerns to the hospital administration and the public guardian and trustee if necessary.

Another example: "Joseph Kendall"—most of you have heard of this case—"an ex-psychiatric patient from Queen Street Mental Health Centre who was discharged to Cedar Glen Boarding Home on May 1, 1985, was admitted to a hospital on November 1, 1987, after an altercation with another resident of the home resulting in a fall. Mr Kendall was admitted dirty, malnourished, overmedicated, disoriented due to drug reaction and developing pneumonia. If advocates had access to private boarding homes, Joseph Kendall could've asked an advocate for help. Even if advocates were refused entry, they could've obtained a warrant and asked police to admit their entry."

Interjections.

When you eliminate the Advocacy Act, you abolish the Advocacy Commission, the advocacy rights' activists, what you're doing is saying, Mr Spina, that we're not going to uncover some of those problems, we're not

going to be able to get through the problems that some of the seniors suffer in these institutions. We won't have the resources to do so, and so the abuses that were identified a long time ago, for your information, will now remain, will not be dealt with, will be hidden under the carpet. It might make us feel better to think that somehow all of these things will have gone away and the elimination of the Advocacy Act was unnecessary, and that things will turn out for the better because the Conservatives say so, because they're infallible, but it will not do. This issue will not go away.

Those who are vulnerable will be more vulnerable than ever before. A Ryerson study said this about elder abuse: "The problem of elder abuse in Canada is of significant magnitude to warrant increased attention by policy-makers, social services and legal system representatives and researchers." The Ryerson study found that about 40 persons per thousand in private dwellings in Ontario experienced some serious form of maltreatment in their own home at the hands of a partner, relative or close contact. That means about 100,000 elderly people in Canada may have recently suffered from one or more forms of abuse or neglect.

1630

An advocate could enter the private dwelling and meet with the vulnerable person in private and ask them if they wanted assistance, including contacting other family or friends to assist the vulnerable person. We just eliminated all of that with the repeal of the Advocacy Act because the minister says it is not necessary, because the minister says that we want to reduce government interference into private affairs, because the minister says that the Advocacy Act is intrusive, because the minister says that the Advocacy Commission is too costly.

There are a few other things—and a Tory backbencher is nodding, saying yes, that's correct, that's what he said, and he obviously agrees with those comments. I think it's sad that he should agree with those comments, because the member who was nodding his head is not too far from being a senior, not too far from becoming vulnerable and frail and not too far from having this government say: "We don't want any interference. He'll be all right. His family will take care of him. As a last resort this government will." I doubt very much this government will help you in the end, Mr MPP at the back.

Mr John Gerretsen (Kingston and The Islands): And he may need help too.

Mr Marchese: Oh, he will indeed.

Why do we support advocacy on this side and why is it that this government, all of its members unanimously, homogeneously, in harmony, oppose advocacy? I'm not quite sure. We'll have to ask the public to ask these fine gentlemen and women on the other side that very question. Why is it that they oppose advocacy? Why is it that they oppose this commission? You might be saying, some of you, "But we're not doing that." There are some advocates out there—

Mr Tilson: We're opposed to the Advocacy Commission.

Mr Marchese: I understand that. You're repealing the Advocacy Act. You are repealing that and, with it, the commission.

Mr Tilson: It didn't work and it cost \$15 million.

Mr Marchese: Mr Speaker, remember this: I'm speaking through you to the members because, as I've often pointed out in the past, they're infallible, they will not listen. So I often speak through you to the public, because the people we want to influence are not these members but the public.

The Ontario Advocacy Commission chose what follows as the clearest and most comprehensive definition of advocacy. They say:

"It is an activity which involves taking up the cause of an individual or group of individuals and speaking on their behalf to ensure that their rights are respected and their needs are met."

That's the point of advocacy, that's the point of the commission.

We have a problem in terms of how we think about seniors, and part of the problem is fear of the unknown and fear of differences. We live in a society that sees the elderly and people of all ages with disabilities as sometimes strange, partly because they've long been hidden away in special institutions and programs.

Added to that is a cultural obsession with wholeness and perfection that cannot accommodate the changes that come with natural aging or mental or physical disability. Even more damaging is the presumption that vulnerable people are either too old, too senile or too weak to exercise personal choice, to make decisions related to their own wellbeing or to have any control over access to valued resources. That presumption has always been a source of power over vulnerable people.

Worse still, that power is sometimes misused by the very people in whom vulnerable people put their trust: family and friends. This is not to say that most family members don't care about their loved ones, because we believe most of them do. We were trying to get at abuse. We're trying to deal with those cases where abuse is there, is persistent, is likely never to leave us, and the Advocacy Act, through the Advocacy Commission and what it was doing, was an attempt to get to that. As important as family and friends are to the wellbeing of vulnerable people, they can also be a particularly painful source of abuse and neglect. That's why I read two or three examples of abuses that go on in society that need to be addressed.

Advocacy then is about breaking down or eradicating attitudinal barriers, promoting respect for the rights, freedoms, autonomy and dignity of vulnerable persons and redressing the balance so the power can be shared. Advocacy efforts vary from one community to the other as one issue to the other. Because that is so, you need advocacy and you need the commission to be able to coordinate these efforts, to be able to work with all of the different groups working in this field. Without that commission, without that act, we're abandoning them. That's what I think this government is doing. They're abandoning them.

The other government members will say of course, "That's not the case. We're getting government out of the hair of individuals and their families," and we say that's not a good response: That's not the proper response. It's relegating frail people, people with serious disabilities, to the dark recesses of some corner where we cannot see. It's saying: "We do not respect your abilities. We do not respect your concerns about what you would like. You do not need rights advocates to tell you what you need. We do not respect your autonomy." That's what it's saying: "We do not respect your autonomy."

In my view, a government that advocates about autonomy, individual autonomy, and rails against dependency is doing the opposite with this particular bill. How can you say, "We promote autonomy because it's good for individuals"—Tories and Conservative thinking are big on individual responsibilities—how can you say on the one hand, "We respect autonomy," and in this case you say: "They don't need it. It's government interference"?

What the Advocacy Act and Advocacy Commission were attempting to do in effect—probably with no intention of your own—is to agree with you that what we want is to be able to prepare people to deal with their own life and life situation, to prepare seniors in an autonomous way to deal with their own situation. We think that's a good thing. One would think the Tories would think so as well, but some of you couch it on the basis of saying it's government intervention.

If some of you great thinkers on the other side are going to speak after this, I'd like to hear a response from you, because I'd like to know how on the one hand you promote autonomy and on the other hand you take it away. It's an interesting oxymoron, suited for Tories, I suspect, but I'd like to hear from you on this very issue.

I'd like to refer to a document, Provincial Snapshot: Issues and Gaps in Advocacy Services across Ontario, where they speak about why existing advocacy services are not enough. Some of you, and the minister spoke to this, said that those services out there are enough. He might want to correct that if he didn't say that, or some of you might want to correct that if you think you haven't said this. But existing services are not sufficient. They're not enough.

1640

They say:

"Disability and cross-disability movements in Ontario have historically been undermined by a lack of resources, lack of coordination, fragmentation and marginalization." For the record, review Hansard once I've said this and please speak to these issues. "Not only does awareness of issues vary radically from group to group, but consumer representation and participation is inconsistent across a wide range of advocacy organizations, particularly in urban centres."

They go on to say:

"Discriminatory attitudes in mainstream society and within the disability and seniors communities prevent many vulnerable people from making the most of whatever advocacy resources do exist. These attitudes—as examples, racism, sexism, agism, homophobia—prevent

people from working together to solve common problems, thereby preserving the status quo.

"In addition to a widespread lack of well-trained volunteers to run effective advocacy programs, those programs are often compromised by short-term or project funding rather than the kind of core funding that builds stability. Now, more than ever," they say, and I agree with them, "economic constraints make it crucial that communities learn to pool resources and be creative with the little they have.

"The Advocacy Commission was never intended to be a primary provider of advocacy services but rather a catalyst in the enhancement of existing services and the development of new ones. Two of the most important tools in meeting that goal are consumer advocates with a strong background in self-advocacy and peer support."

This is what they say about existing services. Some of you might think, and you've been convinced by the minister, that these services are there and they're adequate. The Advocacy Commission, through its work and historical understanding of what is there, says that's not the case. We have a problem and it needs to be dealt with. It needs to be dealt with because we've got a lot of vulnerable people out there who need the Advocacy Commission and advocacy rights, individuals who work on their behalf.

We have a lot of people we're dealing with. We're dealing here with seniors; we're dealing with persons with HIV and AIDS; we're dealing with persons with a physical disability; we're dealing with persons labelled with a developmental disability; persons labelled with a psychiatric disability; ethnoracial cultural groups with disabilities; persons who are institutionalized; aboriginal persons with disabilities; persons who are deaf, deafened or hard-of-hearing; persons who are blind and deaf; blind women with disabilities.

This is a long list of people who oftentimes are victims of abuse, sometimes intentional, sometimes unintentional, but they are victims of abuse. If we want to move people away from institutions so they can become autonomous, as you want, by eliminating the Advocacy Commission you're not doing that. You are in fact—perhaps you didn't mean it, but this is the effect of it—creating dependency. You are institutionalizing those individuals. You are not taking them out. You're not empowering them. You are not empowering them to get out of a situation they may not want to be in, they do not want to be in and should not be in.

Mr Tilson: What about the advocate?

Mr Marchese: The member asks me from across—and I forget his riding so I can't refer to the riding he's from—what is the advocate or the Advocacy Commission going to do for them? These are the people who advise them of their rights.

Mr Tilson: I know that. You don't even know what an advocate is.

Mr Marchese: That's interesting.

Mr Tilson: You don't know what the definition of an advocate is.

Mr Marchese: I see. The member says he knows the definition and I don't. He knows the definition of advocacy or advocates and that's why, as a trained lawyer, he's going to repeal the Advocacy Commission. This member, who is a fine lawyer, says he knows what the definition is and that's why they're getting rid of it. Interesting logic, and I'm sure he'll stand up in his two-minute rebuttal and inform this member what the definition of advocacy is, so that I can be enlightened by his remarks on the topic.

Advocates help individuals to be autonomous, to understand their rights, to empower them about what their rights are. We think that's good. What you have done is not very good, in my view, and I think that many of the people who have worked on this for many, many years, for 20 years, when they come in front of this committee—because I understand we're going to have three weeks of hearings—I believe are going to tell you as much. They will tell you that what you have done is not very useful, not very good for them.

There are three specific types of advocacy, they say: instructed advocacy, working with or on behalf of individual vulnerable persons on individual cases when instructed to do so by the vulnerable persons; non-instructed advocacy, working on behalf of individual vulnerable persons who are incapable of instructing an advocate, yet there are reasonable grounds to believe there is a risk of serious harm to the health or the safety of those persons; and systemic advocacy, working on an individual basis or with groups to bring about systemic changes at the governmental level, economic and institutional levels.

These are the types of advocacy the commission was involved in. We think it was important and we think that in terms of empowerment advocacy is critical. Empowerment is usually defined as a social action process that promotes participation of people, organizations and communities towards the goal of increased individual and community control, political efficacy, an improved quality of community life and social justice. In other words, empowerment enables an individual to be an active participant in his or her own life.

That's the definition of empowerment. We think it's a good definition. We think it speaks to what we were trying to do with advocacy in the Advocacy Commission. We think it's good for individual members of society to be empowered to be active participants and not to be disempowered by taking the Advocacy Commission away that would help them to understand what their rights are.

Vulnerable people often do not know what their rights are. Vulnerable people do not know where to go for that help.

Mr Tilson: Do their families?

Mr Marchese: The member for Dufferin-Peel asks me, do the families know about these rights? I tell you, families do not often know. If you ask your own caucus members and caucus members on this side if we know the particulars of some of these bills, I can tell you that 90% or 95% would not know, and we're here dealing

with this issue on an active basis. Most people do not know, most families do not know, not because they don't want to know but because understanding particulars of law and rights as they relate to these issues are complicated. No one in society—

Mr Tilson: That's the problem. The bill is too complicated, and that's why we're going to fix it.

Mr Marchese: Yes, I appreciate that. The member for Dufferin-Peel says this bill is too complicated. The Advocacy Commission was not complicated. I'm speaking at the moment on that particular issue.

I am telling you that what you have done is not helping the elderly to become independent. You're not helping them to empower themselves. You're doing the opposite. It's wrongheaded, and you should look at that again, because it contradicts your basic Conservative philosophy around individual empowerment. I would urge you to do that.

1650

You keep on saying, "Families know and they will act in the best interests of their family members," but we know from the abuses that have been recorded and reported by many that that's not the case. You've based it on the false assumption that families in all instances will always be there to take care of them. It's a false assumption.

Mr Tilson: The government will be.

Mr Marchese: The member for Dufferin-Peel says, "The government will be." You remember, in your own documentation you say government will be there as a last resort to help them out, so it's not as if you left yourself out. You're still there.

The member for Dufferin-Peel thinks he's made it easier all of a sudden, that it's less bureaucratic. What you are doing is quite the opposite. You are leaving the same bureaucracy in place. You say you're getting rid of the bureaucracy, but you're getting back to the bureaucracy that you often attack. In fact, we'll have only the auditor to come back every now and then, every five years, to tell us where the abuses are.

Your bill leaves us with that as the answer. Your bill leaves us to the auditor to come identify the abuses when asked, and when he comes back we then realize we have a problem. Then you're left as a government to try to deal with it. You have no services in place, no advocates in place, to deal with systemic problems, so in the end, you'll have the auditor come in to tell you, as he did a couple of weeks ago, that we have a problem. It's detailed in the auditor's report that we have a problem in some of our institutions with respect to abuses. Is this what we're left with? We're left with a bureaucracy of the past to deal with the abuses of the present.

We think it's a problem. It's not going to be helpful. You say, "We are easing the intrusion." I say we're doing so without the balance of the protection that vulnerable people need. I urge the members to review what they have done, because my view is that they have left a whole lot of people unprotected.

It speaks philosophically to what they're doing as a government. They don't want any advocacy. They do not.

This government doesn't want advocates. That's what you are saying by repealing the entire section, that you don't care about advocacy, that the problem will take care of itself.

It won't work. Your false assumptions about all family members taking care of you some day, taking care of their old ones or those with disabilities, is a false assumption. It says that in all cases we are all great people, good people, caring people, and we will take care of them. But the Ryerson study showed that there are 40 persons per 1,000 in private dwellings in Ontario who experience some serious form of maltreatment in their own home at the hands of a partner, relative or close contact. That's what you're speaking to. You're saying the families are there.

We think you're moving in the wrong direction. The good folks who are listening to this debate will understand this more than the members opposite. They will know that by repealing the entire section, this government politically and philosophically is saying: "We don't need advocacy. The problem will take care of itself." The problem will not take care of itself.

Mr Tilson: Better read the bill.

Mr Marchese: Member for Dufferin-Peel, please. You have repealed the whole Advocacy Act. The commission has gone with that repeal.

Mr Tilson: That's right.

Mr Marchese: All right. Member for Dufferin-Peel, I'm waiting for your two-minute rebuttal to speak on this matter, to tell me that you have read it and that everything I say you'll make references to. Don't just point to the document and say it's there. No, no. Tell the good public who are listening, make direct references to the amendments you've made and the repeal that speak directly to what I'm saying, that advocacy is still there. Do that, member for Dufferin-Peel. I urge your members and your colleagues to do the same, because it's not there—not there. There's a whole lot of subterfuge, but there is no clarity in that particular bill.

I have dealt with the whole issue of advocacy. I know that the members opposite do not agree with me, but I hope the people who are listening will agree with us. I hope they will get themselves on the list to speak to this bill when it gets into committee, and when they come forward, I want the good general public to tell me that I'm wrong, to tell me that as a critic I'm wrong, or to support the member for Dufferin-Peel and all the other members across that advocacy is still there and that in spite of what I said, in spite of what the commission has said with respect to existing services around advocacy, that they're wrong too.

I urge all of you to speak to this issue, those kind, good people who will come in front of the committee to speak to how wonderful the existing advocacy out there is. If it were good, if it were a good thing, we would not have this bill and we would not have an Advocacy Act. That's why we included it, because people like Father O'Sullivan, a friend of yours, said we needed it. You're saying: "He's wrong. Don't worry about it. Everything is taken care of. You don't need to worry about what this

government is doing, because they just made it easier. They made this complicated document much easier to understand." I'm looking forward to their comments with great interest.

I want to review some of the basic principles underlying advocacy. I spoke about empowerment, where we say it's "creating the conditions in which disenfranchised people can begin to assume ownership of their lives." We think it's right; Conservatives obviously do not, but they have a position on it, and I will hear it, I'm sure, perhaps today or another day.

Autonomy, we say, "begins to rebuild the faith and confidence of people who are alienated and powerless by dealing directly with the issues they believe are important and the beliefs and feelings they have about their own needs." I think it's a good principle. It is an interesting principle that coincides with political Conservative thought, but obviously they don't agree on this one.

Respect: "promoting the concept that vulnerable persons have the right to expect that they will be treated the same as any other member of our society."

We agree. That's why the Advocacy Act and the Advocacy Commission were put into place: to give them that respect that they deserve, that they need, that they are entitled to. Without the advocacy rights, they will be shut away as they have been in the past because we don't want to see them. But don't worry, you the good public; the families are there, they care, they have the time to be able to support you. Let us not worry. Respect will be there.

Confidentiality: "ensuring that information about vulnerable persons which is obtained by advocates in the course of their work is not revealed to others except as authorized."

We think it's a good thing. That's why advocates were there: to make sure that people knew their rights. If those individuals did not want to share that information with others, some distant relative who's there to help, they didn't have to. All of that is gone now. All of that confidentiality is gone now.

Independence: "ensuring that advocates and the Advocacy Commission are free from conflicts of interest and independent of government and service providers."

We think it's a good thing. This kind of independence is a good thing, ensuring that advocates are free from conflict of interest and independent of government and service providers. You've just eliminated that with the repeal. But I know some good members on the other side will have an answer to that. I'm waiting impatiently with interest to see what the answer is to that.

1700

Another principle of advocacy, equity: "helping to make vulnerable persons aware of their rights and entitlements and ensuring that they have real options and the power and resources to exercise them."

We agree. We think it's an important principle. You, on the other hand, with a single stroke of the pen have decided we don't need advocacy any more. All that issue of equity, making sure they know what their rights and entitlements are, is gone. But don't worry, some members

say, their families are there to tell them what their rights and their entitlements are. The member for Dufferin-Peel makes me feel better to think and to know that that will be the case.

Issues of access: "ensuring that advocates, as agents of vulnerable persons, have access to places where vulnerable persons live or are being treated, and to any information or records which are relevant to resolving their concerns." Important issue.

Accommodation: "ensuring that provision is made for the special needs of disabled vulnerable persons. Examples: sign language interpreters, materials in Braille or large print."

"But don't worry," say the Conservative members. "That will happen automatically," by the same strange alchemy that this Conservative government works on many other issues. It will just happen. The magic is there. This government has willed it. So when there is a problem with accommodation with a person with a disability, it will just happen.

The Advocacy Act is repealed. The commission is not there. These people will not get that help. Those individuals suffering from this kind of disability will not get that help. But I know the members have an answer to that. They just passed a bill that's clear, that's less intrusive, less costly, easier to understand, and because it's that way, their bill solves all the questions I've raised, eliminates all the questions.

I tell the good people who are listening that that's not the case. They should follow these discussions with interest. They should come to the committee hearings. They should speak to this issue. They should call their members opposite and say: "Please give me this information about advocacy. What does it mean? What have you done? Assure me that my rights and entitlements are there. Assure me that something in your bill still allows me to do that even though the commission is not there." I urge the public listening who may indeed be connected to this particular issue to call those members and to call us so we can help them to sort through this now very comprehensible act they have passed, this Bill 19.

I'm going to move on briefly to a comparison of Bill 19 to the NDP Consent to Treatment Act and make some comments around that.

Rights advice: Under the NDP consent-to-treatment legislation, persons who were found incapable of consenting to treatment were entitled to be advised of the right to challenge that finding. They were also provided with assistance in applying for a review of the finding and in contacting a lawyer if such assistance was required. Under Bill 19, this fine Conservative bill, all rights to this advice and assistance have been eliminated. The Conservatives have a good explanation of this, no doubt, but I want to hear from them.

Aversive conditioning: Under the NDP consent-to-treatment legislation, a substitute decision-maker could not provide consent on an incapable person's behalf. Under Bill 19, this wonderful Conservative piece of legislation, a substitute decision-maker is no longer prohibited from consenting on the incapable person's

behalf to a treatment involving the use, let us say, of electric shock. I'd like some Conservative members to speak to that. I'm sure the public that's listening would like to hear that.

Definition of "treatment": Under the NDP consent-to-treatment legislation, some of the treatments that are now included in Bill 19 were in our regulations. Under Bill 19, more activities, procedures are excluded from the definition of "treatment." It sounds reasonable.

They argue that this is to ensure that the act does not apply to routine diagnostics and minor treatments. What this does is to leave it up to the practitioners to determine what is of little or no risk. The members opposite say: "What's wrong with that? Surely they're capable of making such decisions. Why shouldn't they do it?"

We think that leaves a lot of leeway to the practitioners to decide on what is a minor treatment. We don't think that it's necessarily the case that in every case the health practitioners will act reasonably and on behalf of those individuals. This is not to say that in most cases people do not do this, because they care, because they're doing their job dutifully, and because they seem to feel that is what should happen. I don't argue that. The problem is it leaves too much flexibility in the hands of health practitioners to determine this on their own as to what is of little or no risk.

Authority to health practitioners under Bill 19: All decision-making authority is invested to the health practitioners and substitute decision-makers on findings of incapacity to make treatment decisions, while removing the rights of patients to be informed of the availability of a remedy and the opportunity for assistance.

It allows doctors considerable latitude in making decisions without consultation. We say the rights of patients may be lost in this shift of power from patients to practitioners. There are no measures to ensure that communication between doctor and patient will be promoted. You're quite right, to the member for Dufferin-Peel, only the advocates would be in a position to help under these kinds of conditions.

What this does is give doctors considerable latitude in making decisions without consultation. Some of you might argue that's not a bad thing. Doctors would never operate or act contrary to the needs of that individual. It's a safe assumption to make.

Mr Gerretsen: Doctors are good people.

Mr Marchese: Doctors are good people. Doctors are decent people. Doctors would never do anything to hurt their patients. Isn't that correct?

Mr Gerretsen: I would hope so.

Mr Marchese: Generally speaking, that's correct, but often we have abuses, and that's why—

Mr Tilson: How often?

Hon Marilyn Mushinski (Minister of Citizenship, Culture and Recreation): How often?

Mr Marchese: Well, if you then argue, some of you members from the back, that because it doesn't happen all too often then we don't need advocacy, I say to you you're wrong. Even if you have one case or two cases,

even if it were as small as that, it would be sufficient to have advocacy and to have advocates go out into those institutions to uncover what the problems are, to advocate on their behalf and to advocate for systemic change in those institutions.

Interjections.

Mr Marchese: I have a big fan club, Mr Speaker. I'm glad. Thank you, Mr Dufferin-Peel.

The consent and capacity board: Under the NDP consent-to-treatment legislation, there was a requirement for the board to sit in a panel of three to five for the review of every application. A member of the board must not take part in the hearing of a matter that concerns a person who was at any time the board member's patient or client. A member of the board who is an officer or employee of a hospital facility who has a direct financial interest in such a facility cannot take part in the hearing of a matter that concerns a person who was at any time a patient or a resident of that facility.

Under Bill 19, there is no longer a requirement for a panel of five to meet. One member can be assigned to a matter. A member of the board can take part in a hearing of a person who was their patient or client, except within the last five years.

1710

The prohibition of board members who have a direct financial interest in a hospital or facility applies only if the person is currently a patient or resident of the facility, and the board won't provide written responses unless requested. We think that's a problem. We think it's a problem to have one individual adjudicate on matters of this kind. That's why we said there should be a requirement for a panel of five to meet so as to avoid individual abuses, individual potential for conflict of interest.

You're making the assumption that in order to cut through the bureaucracy, the red tape, the paper, some of you have said one person will do. But you see, you're not dealing with the potential for abuse. You're not dealing with abuse. You're saying: "Don't worry, abuses do not happen; it's all right. Health care practitioners are good people. They wouldn't do anything wrong to those individuals. Doctors wouldn't do anything wrong against those individuals. One board member is sufficient to adjudicate on the matter. We don't need five."

You see, all of your premises are based on false assumptions. The fact of the matter is that abuses exist, they have always existed and they will continue to exist.

Mr Gerretsen: They would under your act too.

Mr Marchese: Under our act, the Liberal member said, they would exist too. It would be, on my part, a bit presumptuous to think that somehow because we had passed our bill, all abuses would have ended.

Mr Gerretsen: No, no. Nothing personal.

Mr Marchese: I appreciate that; I'm responding to that. Our bill does not automatically, by the very nature of what we passed, eliminate all abuses, but I can tell you this: The Advocacy Commission and the advocacy rights individuals were there to deal with systemic problems, were there to uncover problems in institutions, were there to deinstitutionalize where necessary, were there to

provide rights to those individuals, to let them know they have entitlements, to let them know that their autonomy and their dignity mattered.

Interjection.

Mr Marchese: To the member at the back, I am sorry I don't know where you are from, but seniors don't have the right. That's why we introduced the bill that we did. If they had these rights, there would not have been a need for an Advocacy Commission or advocacy rights individuals. If these seniors had all of these wonderful rights that are obviously clearly stated in your bill, we would not have needed them in the past. But you show me, sir, where in your document, in Bill 19, you give these seniors these rights, where you give these people with disabilities these rights.

Mr Peter Preston (Brant-Haldimand): You don't provide them with rights; they have the rights already.

Mr Marchese: The member says the following, "We don't give them rights; they have them." Magically, they have it. This is the faultiness of his logic. Let's say we have these rights.

Mr Preston: You're giving rights to a bureaucrat.

Mr Marchese: I see; okay. He says we have these rights; they know these rights. The member for Dufferin-Peel says the families know these rights, so everything's okay. The fact of the matter is, even where there are rights that people are entitled to, because they are frail, mentally or physically, they often do not know their rights. Even those of us who are capable often do not know our rights.

The member opposite should know that as well. Because we are not aware of our rights, we need advocates to help those individual members, wherever they may be and whatever institutions they're in, to have an understanding of what their rights are, to be able to make decisions based on that understanding of those rights about what they want for themselves.

That's what we had in place. That's what this government is destroying. They're abandoning frail people, people with disabilities. They are abandoning them to themselves and to those good doctors and to those good families who are, on the whole, good people. But I tell you, the abuses are there and they will continue to exist.

Mr Speaker, I thank you for this opportunity to speak on this matter. My other colleagues will fill in on these and other matters. I hope that the members opposite will enlighten me with their good and clear thinking on some of the matters that I've raised.

Mr Gilles Bisson (Cochrane South): I just wanted to take this opportunity to put a couple of things on the record in regard to the bill that's before us, Bill 19, an act to repeal the Advocacy Act, 1992, revise the Consent to Treatment Act, 1992, and amend the Substitute Decisions Act.

I just want to speak really on a couple of things very quickly, the first being I guess the easiest one, which is the power of attorney issue. One of the things that opposition members who are now on the government side of the House said while this particular legislation was coming forward was that somehow or other the power of

attorney was an onerous regulation to put on the citizens of Ontario because what it would do, they said at the time, was it would force people to get a power of attorney, number one—that the only way you'd be able to protect your rights is through a power of attorney.

The second thing is that if they didn't get it, the government would step in—bad old Bob Rae and all of the people in the NDP government—and they would seize the assets of individuals who happened to be incapacitated because they couldn't make a decision and had gone into a coma or whatever and were not able to make a decision for themselves and the spouse couldn't make that decision for them legally—the government would make it for them. That was the biggest untruth, I would say, that was set around this legislation.

I remember literally—and I would say bully-bully to the PC party. They really succeeded in scaring the bejesus out of the people of Ontario on that particular issue. They organized a good campaign; they got their friends who all had fax machines to go out and set up fax trees across the province of Ontario by which everybody was informed how all of a sudden, because of this new draconian NDP piece of legislation, as they said at the time, people would have to have a power of attorney, and if they didn't and they should enter into a coma, somehow or other the government would seize all their assets and the spouse who happens to be surviving would not be able to control the assets of the loved one who happened to be in that coma.

I remember the hundreds and hundreds and hundreds of people who called my office, who sent me letters, who came to meet with me personally. I also remember the groups of up to 300 in Iroquois Falls, the groups of a couple hundred in Matheson at one particular area, I would say the 10s and 20s of groups that I met with in the community of Timmins at the time where there were 100 and 200 seniors there who had been scared to their wits' end because of what the Tories had said that legislation would do.

We stand here in this House today in order to supposedly repeal what had been done under the power of attorney and I just want for the record to clarify the—I can't say the word "lying" here, so I won't use it, but the travesty of truth, I guess would be a polite way of putting it, that had been done at the time when the Tories had done that.

The reality is that the power of attorney, as set out under the current legislation—basically all it says is very simply this: If you choose, as an individual, to have a power of attorney, you don't have to go to your lawyer to get one. That's basically all the legislation did.

Because we believed then, as we believe now, as social democrats, that being able to protect yourself in regard to your property, should your loved one be incapacitated in making a decision—you should not necessarily have to run to your lawyer to write a document to do that. In some cases, people already have wills that are drawn up taking care of their estate and for whatever reason there was an omission that a power of attorney wasn't done, or because their financial situation changes, they want a power of attorney done, or sometimes the individual

might have been single and remarried—whatever the situation is, that they be able to do that power of attorney simply by filling out a form.

Because it is really not a complex document. All that document says, the same as a power of attorney said at the time when you had to go see a lawyer for it, is that, "I, in sound mind"—

Mr Gerretsen: You didn't need it before.

Mr Bisson: My friend here says you didn't need it before. No, you never did need it before. That's the point. The point is, under the old legislation, prior to what the NDP had introduced, if you decided to have a power of attorney, you had to go to a lawyer and only a lawyer would be able to fill out a power of attorney for you in order to be in a position to control your assets and income in case you're incapacitated.

When we changed the legislation in 1993-94, we basically said you don't need to go to a lawyer. A lot of that can be done strictly by filling out a power of attorney form and making sure that it's properly registered through a number of different mechanisms that we have put forward in the legislation.

1720

I would just say to the Conservative government and the members sitting on the other side, I think this is yet another example of why people are cynical about politicians.

When politicians in this assembly, being in the last assembly, would go out, for political reasons, trying to scare the heck out of people in order to make a political point, I wonder why people look at politicians generally and say, "We don't have a lot of confidence in you."

I think we all have a responsibility in this assembly to oppose or to support legislation as we see fit—

Mr Pouliot: And to tell the truth.

Mr Bisson: —but the other thing, as my friend from Nipigon says, we must be charged with telling the truth.

One of the things that greatly offended me over 1993-94, as we went through the changes of power of attorney, is the amount of time that I had to go back and sit down with seniors, especially seniors, who were truly scared because of what some people from the Conservative Party had done in this assembly in order to scare the seniors of this province into trying to support them and not support the New Democratic Party.

I did a lot of work in my riding, and I think the test is that I'm back here again, where I took a lot of time over a period of a couple of years to meet with seniors' groups at every occasion. I sent out flyers throughout the seniors' communities throughout my riding that I was prepared to meet with them. I went into their homes, I went into the community centres, I went to the senior citizens' apartment buildings, I went wherever and anywhere that people wanted to talk on this issue in order to clarify the record.

The point is, it took a lot of time on the part of myself and my staff to be able to go out there and to do that when we could have been doing other things in our community, such as creating jobs, such as being able to

help deal with a number of different issues that are raised in our community.

I just say, as this legislation is coming forward, we're going back to that day where you're going to have to go see a lawyer in order to get a power of attorney. I think all that we're going to do in this particular case is just reward a few friends of the Conservative Party.

L'autre affaire que j'aimerais dire, c'est comment certaines provisions qui sont dans la loi qui font affaire avec toute la question d'une personne qui n'est pas capable de faire une décision elle-même parce qu'elle a une condition mentale ou physique qui l'empêche de faire une décision vont être changées dans cette législation.

My own sister is schizophrenic. She was diagnosed with schizophrenia some 15 years ago, and because of a lot of work done by the Canadian Mental Health Association, she is living well and coping fairly well within our community of Timmins through the work and support services that are put in place in order to be able to help her, as a person within our society, within our community of Timmins, to be able to deal and to be able to interact with people of our community.

One of the things that I took some pride in, but I took a lot of difficulty in being able to deal with on a personal level, was the whole idea of how we change the law in this province to be able to give my sister Louise the dignity that she deserves and being able herself to be able to choose somebody to make decisions for her in the event that she's unable, for a period of time, to cope with life because of her illness.

Luckily, in my family, I still have a mother and father who are living, who care deeply about Louise, as they do about the rest of their children and the rest of their family. My sister is truly lucky because she has my parents, Aurèle and Madeleine, who are there, able to make decisions for her in those cases where she's not able to herself, and to properly care for her.

The legislation that we had brought forward when we were in government allowed for people like my sister, who may for whatever reason no longer have parents who are able to take care of them, or in some cases where families have just given up on them, because schizophrenia, among other diseases, is a disease that's very hard for families to cope with, because it's such an up-and-down process when it comes to how the individual relates to the family and relates to the rest of the people around them.

What our legislation had basically done, it had said: "Listen, we respect people like Louise. We respect that they have the ability, as every other person in this society, to make their own decisions. We respect that, like everybody else, they should be allowed to make their own mistakes."

One of the things that I think has been very harmful is that we've had a very paternalistic approach to how we deal with people with disabilities and how we deal with people in situations like Louise's. We're returning, I'm afraid, with what we're doing under this bill, to a time—I hope the government's intention is not to do this; I think maybe they're caught in their zeal for change—we're

returning to a time where the state becomes paternalistic towards people like Louise.

That troubles me greatly, because I love my sister dearly, as every brother loves his sister, and I know that Louise, like myself, will make good decisions in time, as she will make bad ones. But in the end, everybody respects me for my good decisions and bad decisions mixed in, and I would hope that my sister Louise still has that opportunity should a time come when my parents are unable to make decisions and help her in time of need or, for whatever reason, I or my brother are not around to help her. I don't want to return to a time where Louise has to deal with somebody she feels is not dealing with things in her best interest.

It's frustrating for the family. My mother was quite, quite active in Ontario Friends of Schizophrenics, in fact was the founding member of the Friends of Schizophrenics chapter in the city of Timmins. If my mother is watching today, she would say, "Gilles, you'd be remiss not to tell this side of the story."

Mr Pouliot: She's watching.

Mr Gerretsen: I'm sure she's watching.

Mr Bisson: She doesn't always watch, to tell you the truth, my mother. She gets a chance to see me at home on weekends.

Mr Pouliot: I know your mom. Hi, Mom.

Mr Bisson: Hi, Ma. I want to say something in fairness and in truth. When we made the changes—

Mr Gerretsen: Surely she voted for you.

Mr Bisson: My mother always votes for me, I must say. She's the last person I have problems convincing.

But I want to say something in fairness. My mother, as a caregiver, in cases where Louise is unable to make her decisions, was really worried when this government, my government, the government that I was a member of, moved forward with the legislation that respected Louise in regard to matters dealing with her own personal decisions.

I can tell you, my mother, like other people in Friends of Schizophrenics, lobbied me at every opportunity, because they were concerned, because most of the people involved in Friends of Schizophrenics, we need to understand, are people who are involved with their loved ones.

They're involved with their daughter or their son, in caring and making sure that they get the care that's needed when they need it and allowing them to do what they need to do, like everybody else and every other child does in normal circumstances. They were really concerned that what would happen was that they would be put in a position, because of the legislation that the NDP government brought in, where they would not be able to make decisions in the event that their son or daughter chose somebody else to make decisions for them.

But I want to point something out that I pointed out to my mother as we were going through this debate. Like every child, as we grow we come to a point where we don't want our parents to make decisions for us. All of us

go through that process to where finally a child decides to leave and grows up and becomes an adult. They say: "Hey, Ma. Hey, Dad. I want to make my own decisions. I'll make good ones and I'll make bad ones, but I'm an adult and I need the respect that's afforded with being an adult. Leave me alone to make my own decisions."

That was the crux of what really disturbed my mother as we moved forward in the legislation. She was worried that somehow or other she was losing Louise and that she would not be able to take part in her life and making decisions when she needed some help. But my mother, like other Ontarians, learned over a period of time that the move in direction that we made in legislation on this issue quite frankly gave the respect and gave the freedom that Louise needed, like other people in this province who are in a situation such as Louise, and respected that Louise is an individual and Louise is a human being like all of us and Louise will make good decisions and Louise will make bad decisions. In the end, that's what makes us people and that's what makes us human.

In the time that this legislation has been in place, I can tell you, because I have a good relationship with many people in the schizophrenic community of Timmins and others within the community of Kirkland Lake and other places where I've had the opportunity to work with people who are within the CMHA, there has not been an instance that I know of where somebody's rights were not properly protected because of the legislation this government brought through.

Mr Tilson: Yes, but their association was against it.

Mr Bisson: I'll come to that. What I heard was that the patients, as they're termed within the system, people who are schizophrenic or manic-depressives or whatever, finally started to realize what the legislation was about. It was about respecting them as individuals and not allowing the parents or the institutions to make decisions for them when really they didn't need to be made.

I just want to say on that particular point that I see where we're going with Bill 19 and I'm very saddened because I recognize that what we're doing under Bill 19 is returning to a time where in certain circumstances—and not all, because I don't want to be alarmist and I don't want to scare people unnecessarily. Bill 19 is not revolutionary, but what it will do is it will bring us back to a time when decisions, when times are difficult for people with schizophrenia—we'll be in a position where institutions will have much more control, where agencies like the Canadian Mental Health Association will have much more control and certain family members will have much more control, where at times that may not be the best approach.

1730

I know it's difficult for people to deal with this issue because it is an issue of such complexity, but I just ask that we think this through before we go finally to third reading and we try to find a way to strike the balance so that in the end people like Louise are given the opportunity that we're all given in our society, and that is the freedom of choice, the freedom to choose what we do with one's life.

Clearly, in those cases where you're incapacitated because of your illness and you're not able to make a rational decision, at least that person should be allowed ahead of time to be able to name who they feel would be best in a position to be able to protect their rights in cases where they can't make decisions.

I would just on that point look to the rest of my caucus colleagues. I realize that we have some 18 minutes left on the clock that's divided. I hope that other members will participate in this debate, and I would just again urge the members of the government to try to respect the rights of individuals when it comes to the whole question of schizophrenia and recognize that they're human beings like everybody else and they need to have the ability under legislation to choose for themselves who they feel the advocate should be, and not have the state force who the advocate will be on them instead.

The Deputy Speaker (Mr Bert Johnson): Comments and questions? My information is that we recognized two speakers.

Hon Ms Mushinski: That's right.

Mr David S. Cooke (Windsor-Riverside): If that's the way you want to do it—

Ms Frances Lankin (Beaches-Woodbine): This is nuts. On every bill, our leadoff has been divided, and no problem.

Interjections.

Mr Cooke: That's fine. We just won't finish the bill.

Mr Bisson: Mr Speaker, on a point of order: On that particular point, it was under the understanding that the time would be divided equally within our caucus, and I purposely left 17 minutes on the clock so that other members of the caucus can participate.

The Deputy Speaker: The information I have is that the agreement was for two speakers, but we can always ask for consent.

Mr Bisson: I would ask for unanimous consent to allow our caucus to finish this 60 minutes.

The Deputy Speaker: Is there unanimous consent to let the debate continue? Agreed.

Mr Cooke: I appreciate the obvious cooperation from the Minister of Citizenship, Culture and Recreation. That sense of partnership was very obvious.

I just want to make a couple of comments about this legislation. I think one of the things that bothers me the most about some of the things this government is doing is the sense of what we have learned over the last 25 or 30 years not even being recognized by this government.

We didn't come into office and dream up the idea of advocacy and substitute decision-making and the consent-to-treatment legislation. The concepts of this were developed over 20 years and beyond, and it came out of a lot of very horrible tragedies that occurred in institutions across the province to individuals.

Many of those cases were raised in the Legislature. Many of those cases were subject to public inquiries, coroners' inquests, that all resulted in recommendations that said we need to have individual rights respected and that for individuals who cannot exercise those rights for

whatever reason, there has to be a structure put in place to advise people of their rights and to exercise those rights if an individual is not capable of exercising those rights on their own behalf. That's how this all came about.

I don't pretend to be an expert in the field, but I know that over the years, when I had the honour of serving as Health critic for our party, there were many incidents of seniors in nursing homes where the treatment was less than adequate, where there were deaths, where there were diseases, outbreaks of disease that resulted in death, where there was infraction after infraction of the Nursing Homes Act. It doesn't matter how many inspectors you have in place—there weren't enough of them—you cannot take care of all the situations.

You cannot have inspectors from the Ministry of Health or the Ministry of Community and Social Services in every public institution every day of the week to make sure that the law is being followed, that individual rights are being recognized. There's a need to empower people, and the only way you can empower people is to partly do that through legislation and then have a structure in place that people can rely on to advise people of their rights and to exercise those rights on their behalf if they're incapable of doing that.

As other speakers have probably told you, this legislation was developed over a number of years. The Conservative government, led by Premier Bill Davis, recognized some of the difficulties. I think Keith Norton was Minister of Community and Social Services when some of the problems were discovered and the need for this legislation was recognized. Bette Stephenson and Dennis Timbrell were ministers of Health when there were a lot of problems in the nursing homes of this province and it was very clear that the elderly needed to be empowered and that they needed to have a system of advocacy put in place.

When the Liberals formed a government in 1985, part of the accord or agreement that was negotiated between the two parties called for this whole issue to be looked at. I remember going over to the Attorney General's office the day the announcement was made for short-term amendments to the Nursing Homes Act that ultimately resulted in a bill of rights being put into the Nursing Homes Act.

I think you will know that a bill of rights in a piece of legislation is absolutely meaningless if there's not a mechanism to exercise those rights that have been granted, so we have a bill of rights. We had major and significant amendments put into the Nursing Homes Act, and coupled with that was a study to take place by Father Sean O'Sullivan, whose mandate was to take a look at advocacy services and a model for advocacy in our province.

Mr Speaker, I'm attempting to quit smoking. Today is the first day and I'm coughing more than I did when I smoked.

I was re-examining this report today, and I think it's significant to know that progress was made under the Conservative government moving towards its implementation—commitments were made—and then there was

support and movement towards implementation by the Peterson Liberal government with the establishment of this commission.

All three companion pieces of legislation are important, but I must say, as an individual who's followed this issue fairly closely over the years, I was most enthused about and proud of the advocacy bill because I really believe, as I said before, that you can have all the legal structures you want in place, but if you don't have an advocacy model that works, that's approachable, that's accessible, then rights mean nothing.

I remember drafting the nursing homes bill of rights because it wasn't in the legislation proposed by the Liberals. It was a proposal that as Health critic I developed with concerned friends. We negotiated with the Liberals, we actually negotiated with the Tories, who were in opposition at the same time, and we came to a consensus on this bill of rights. That was a major step, but now I know that that amendment is absolutely meaningless. With the legislation we're discussing today there will be no advocacy, and a bill of rights is meaningless if you don't have a mechanism and support to exercise those rights.

1740

I look at this report, on page 99, the Advocacy Ontario model. It goes into great detail: the membership, the board of directors, what a central office would do, the fact that we need regional offices to make sure that the office is accessible, make sure there's also a role for volunteers in the system.

All of these issues were explored in detail by Father O'Sullivan, and in the end, this model is basically what was accepted and was put into legislation. By and large, that's the principle.

If the model in its entirety is not acceptable to the House, that's one issue. It can be changed, and we've said that. There can be amendments to the model. But you don't throw out the whole concept of advocacy, trash the entire piece of legislation and the entire model and say, because there's a bureaucracy involved—and that's now the word in this place, that if there's anybody who works for anything in government, the solution now is, scrap it.

While the Liberals may not be entirely supportive of every part of the model we put in place in the legislation, I don't believe the solution is to scrap advocacy in this province. This is going to set us back, as will so many things we're doing in this Legislature under the leadership of this government, not three or four years but back to the 1960s.

All I would ask the Conservative members of the assembly is, take a look at the history of this legislation. We talked about this when we dealt with the children's debate a few weeks ago. Take a look at the history of how we came to develop an advocacy model in the province. Why did this happen?

It wasn't an ideological drive on behalf of our government. I would certainly say it wasn't ideological on the part of the Liberal caucus; nothing is ideological if it comes out of the Liberal caucus. There was a pragmatic

need in the province. The elderly were not being properly protected. There wasn't a system in place.

It's fine for Conservatives to say, "We're going to rely on family; we're going to go back to self-reliance," but that model doesn't work. It didn't work in the 1950s; it didn't work in the 1960s; it didn't work in the 1970s. It certainly doesn't work in the 1990s.

You've visited nursing homes, I'm sure, and homes for the aged. I've visited all of them in my riding. I've seen that, yes, there are committed volunteers, there are committed family members.

Many families in this province, thanks to improvements that have taken place over the last 20 years in community services, have an opportunity to stay at home and have those services as well. But you know as well as I do that there are many individuals in this province who do not have family supports, and they need some assistance to exercise those rights, to have one speak on their behalf.

Even when family members of mine are in hospital, it's very difficult for family members to ask direct questions of doctors or of nurses. They're very busy people and it's hard to get that kind of medical information, and family members don't always want to do that. You need help, you need support, you need advice in order to make major decisions. We're not talking about minor decisions in one's life. We're talking about medical decisions, financial decisions that have to be made and are going to have significant implications for the individuals involved.

All I and our caucus are saying is, don't throw out the whole package. Take a look at the history of how this was developed, why it was developed. It was developed in order to protect the disabled, the elderly, those who are vulnerable in our society. It's been studied to death. The reason for the commission, the reason for the services, has been documented time and time again.

Before we make the horrible mistake of rolling back these services—and I guarantee you that it won't be long until there are documented cases, again and again and again, of why these services need to be put in place. It may not be next year, but I bet you 10 years from now, the members who are sitting in this assembly will think they've dreamed up a brand-new, great idea—advocacy services for Ontario—because the elderly and the vulnerable need to be protected.

I hope someone will say at that point that it had already been done, that the casualties between 1995 and the year 2005 are the responsibility of a government driven by ideology, that says it has to do these things because they can't be afforded, even though we know that most of these cuts are taking place because of ideology and because of a drive to free up dollars at the expense of the most vulnerable people in the province.

Now, with this legislation, we can add to the list of people who are paying for the tax decrease in this province the disabled, the elderly, those in nursing homes and those in long-term care facilities. Those people are now being added to the casualties created by this government all in the name of a tax break to the most wealthy

in this province. We're going to come back to this theme time and time and time again, because this is what's driving this government more than anything else.

Of all the things this government has done so far, this one makes me the saddest, because I know what has gone into this. People like Dennis Timbrell—although I think he's got other things on his mind right now—even Bette Stephenson, who was Minister of Health, Tom Wells, who was Minister of Health, Keith Norton, who was Minister of Community and Social Services, the Premier of the day, all these people began to understand in the mid- to late 1970s and throughout the 1980s.

Then the Peterson government and then our government, that this was absolutely essential, given the nature of our society and the need to protect people who were vulnerable.

I dare say that of the 82 Conservative members, probably fewer than half a dozen have even read this report, who even know what went into the development of this policy that's now being destroyed, the deaths of people in this province. There have been public inquiries and a coroner's inquest examining deaths of seniors in this province.

This bill is going to go out to committee. There will be public hearings across the province. All I ask is that the Conservative members of that committee listen very carefully to the presentations being made. During the time we have between now and next spring to take a look at the reports—the O'Sullivan report and the other reports that were done as well, the Fram report—take a look at the coroner's inquest and other public inquiries and examine why this policy that's being debated here today is wrong.

The vulnerable people of this province need protection, need assistance, need advocacy. I just hope that between now and next spring the evidence will become clearer to this government and to the Conservative members of its caucus; that they will understand why this policy was developed and change their minds, come to their senses and understand that the elderly and the disabled and the fragile people of our society deserve better than what the Conservative government is presenting them with today.

The Speaker: Questions and comments?

Mrs Caplan: I'm going to comment very briefly on the remarks from the member for Windsor-Riverside. While I agree with the history and so forth, I have to tell him that I disagreed fundamentally with the NDP government's solution and its model, the wildly expensive, complex, bureaucratic and intrusive advocacy model they put in place. Eighteen million dollars was an outrageous sum of money, and I have to tell him that I believe the reason we have seen the Harris Conservative government take the actions they have is because it is an unfortunate backlash response.

1750

I agree with him that I hope there is some middle ground. I guess that's classic Liberalism. We see the extreme of the NDP on one side and the Conservatives on the other. Let's find the middle ground.

We support the principles and the need for advocacy. We think it can be done effectively, cost-effectively, responsibly. We think there is a need, but unfortunately the adversarial model, and more than that, the unfortunate experience of the Advocacy Commission—the infighting, the tensions, the way that was all set up—was very, very destructive to the needs of vulnerable adults.

Interjections.

Mrs Caplan: While members are engaging in some levity here, this is a very serious issue. I think the member from Riverside addressed this in an appropriate way, and I don't disagree with what he said; I disagree with what they did. And I do think they have to accept some of the responsibility for the backlash, because I think if they had put in a model that could've been built on, that was inexpensive, that encouraged volunteers, that included families, that was not adversarial and bureaucratic, it would have survived the new government.

Mr Pouliot: Briefly, I want to commend both our latest spokespersons, the member for Cochrane South and also the member for Windsor, telling us about real stories, what impacts people in the real world.

Sometimes I think I have heard everything, but now I have. I just listened to the member for Oriole trying to have it in so many ways. She was about to issue a policy statement, and this is what she did. She flipped a coin, and she said, "Well, I might try to have it both ways," and other people were heckling across saying that she was sitting on the fence. Well, she wasn't doing this. She is the fence.

The Liberals have a policy du jour. Each and every day they go and see the menu.

Mrs Caplan: On a point of order, Mr Speaker: Standing orders prohibit imputing motive, and especially since my daughter-in-law is in the gallery today, in a very delicate and pregnant condition, I know Mr Speaker would want to tell the member that he was out of order.

The Speaker: Order. The member for Lake Nipigon.

Mr Pouliot: Those are indeed crocodile tears. It doesn't apply here, the kind of semblant that they become appalled and shocked because it suits their purpose for a minute, and then they just discard it as soon as they're out of here. It's cheap theatre. Thank heaven it's free, much more importantly than the volte-face, than the inconsistencies of the Liberals who are salivating. They've been doing so for the last two elections.

It's the kind of eloquence, the kind of real story and commonsensical approach by not one but two members of our caucus. I thank you for the time, Mr Speaker.

The Speaker: Further questions and statements? There being no further questions or statements, the member for Windsor-Riverside has two minutes.

Mr Cooke: I'd also like to add that we appreciate the participation of Mr Marchese, and I know Gilles said that, but he was shouted down and you didn't hear him, so that should be on the record.

Just one point with respect to the member for Oriole: I appreciate the member for Oriole's support in the last part of her comments, and I know that if I want to use part of her speech in one of my Queen's Park reports, I

can do that. As my colleague for Lake Nipigon has said, that's what Liberals do. You can take their speeches and you can send half of it out to half of the people and the other half to the other and they make perfectly fine speeches to—

Mr Gerretsen: Why are you talking about us? It's their legislation.

Mr Cooke: I come from Windsor, and in Windsor there are only Liberals and New Democrats. I like to attack Liberals.

I want to make one point, though, about the Liberal policy on this.

This report was originally commissioned in 1985, I believe. The report came in in 1987. My recollection is that you were in government until 1990 and nothing was done on the implementation of this report. It had been promised as part of the accord; it had been promised by Liberals when they were in opposition before they became government in 1985. So if it wasn't done perfectly the way the member for Oriole wanted it done, she was the Minister of Health, she was one of the major players in this. It should have been done in your term in office. It was a major mistake. You didn't rewrite the

Nursing Homes Act either, other than the interim amendments.

So we can all take some responsibility. The problem is, today they're eliminating the entire package, and it's a shame.

The Speaker: Is there any further debate?

There being none, Mr Harnick has moved second reading of Bill 19. Is it the pleasure of the House that the motion carry?

All those in favour say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

I declare the motion carried.

Shall the bill be ordered for third reading?

Hon Ms Mushinski: No, Mr Speaker, the standing committee on administration of justice.

The Speaker: The bill shall be referred to the administration of justice committee.

It now being almost 6 of the clock, this House stands adjourned until 1:30 of the clock tomorrow.

The House adjourned at 1757.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Lt Col The Hon / L'hon Henry N.R. Jackman CM, KStJ, BA, LLB, LLD

Speaker / Président: Hon / L'hon Allan K. McLean

Clerk / Greffier: Claude L. DesRosiers

Senior Clerk Assistant and Clerk of Journals / Greffier adjoint principal et Greffier des journaux: Alex D. McFedries

Clerk Assistant and Clerk of Committees / Greffière adjointe et Greffière des comités: Deborah Deller

Sergeant at Arms / Sergent d'armes: Thomas Stelling

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma	Wildman, Bud (ND)	Hastings-Peterborough	Danford, Harry (PC)
Algoma-Manitoulin	Brown, Michael A. (L)	High Park-Swansea	Shea, Derwyn (PC)
Beaches-Woodbine	Lankin, Frances (ND)	Huron	Johns, Helen (PC)
Brampton North / -Nord	Spina, Joseph (PC)	Kenora	Miclash, Frank (L)
Brampton South / -Sud	Clement, Tony (PC)	Kingston and The Islands / Kingston et Les îles	Gerretsen, John (L)
Brant-Haldimand	Preston, Peter L. (PC)	Kitchener	Wettlaufer, Wayne (PC)
Brantford	Johnson, Ron (PC)	Kitchener-Wilmot	Leadston, Gary L. (PC)
Bruce	Fisher, Barb (PC)	Lake Nipigon / Lac-Nipigon	Pouliot, Gilles (ND)
Burlington South / -Sud	Jackson, Hon / L'hon Cameron (PC) Minister without Portfolio (Workers' Compensation Board) / ministre sans portefeuille, ministre responsable de la Commission des accidents du travail	Lambton	Beaubien, Marcel (PC)
Cambridge	Martiniuk, Gerry (PC)	Lanark-Renfrew	Jordan, Leo (PC)
Carleton	Sterling, Hon / L'hon Norman W. (PC) Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce	Lawrence	Cordiano, Joseph (L)
Carleton East / -Est	Morin, Gilles E. (L)	Leeds-Grenville	Runciman, Hon / L'hon Robert W. (PC) Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels
Chatham-Kent	Carroll, Jack (PC)	Lincoln	Sheehan, Frank (PC)
Cochrane North / -Nord	Wood, Len (ND)	London Centre / -Centre	Boyd, Marion (ND)
Cochrane South / -Sud	Bisson, Gilles (ND)	London North / -Nord	Cunningham, Hon / L'hon Dianne (PC) Minister of Intergovernmental Affairs, minister responsible for women's issues / ministre des Affaires intergouvernementales, ministre déléguée à la Condition féminine
Cornwall	Cleary, John C. (L)	London South / -Sud	Wood, Bob (PC)
Don Mills	Johnson, Hon / L'hon David (PC) Chair of the Management Board of Cabinet / président du Conseil de gestion	Markham	Tsubouchi, Hon / L'hon David H. (PC) Minister of Community and Social Services / ministre des Services sociaux et communautaires
Dovercourt	Silipo, Tony (ND)	Middlesex	Smith, Bruce (PC)
Downsview	Castrilli, Annamarie (L)	Mississauga East / -Est	DeFaria, Carl (PC)
Dufferin-Peel	Tilson, David (PC)	Mississauga North / -Nord	Snobelen, Hon / L'hon John (PC) Minister of Education and Training / ministère de l'Éducation et de la Formation
Durham Centre / -Centre	Flaherty, Jim (PC)	Mississauga South / -Sud	Marland, Margaret (PC)
Durham East / -Est	O'Toole, John R. (PC)	Mississauga West / -Ouest	Sampson, Rob (PC)
Durham West / -Ouest	Ecker, Janet (PC)	Muskoka-Georgian Bay / Muskoka-Baie-Georgienne	Grimmett, Bill (PC)
Durham-York	Munro, Julia (PC)	Nepean	Baird, John R. (PC)
Eglinton	Saunderson, Hon / L'hon William (PC) Minister of Economic Development, Trade and Tourism / ministre du Développement économique, du Commerce et du Tourisme	Niagara Falls	Maves, Bart (PC)
Elgin	North, Peter (Ind)	Niagara South / -Sud	Hudak, Tim (PC)
Essex-Kent	Hoy, Pat (L)	Nickel Belt	Laughren, Floyd (ND)
Essex South / -Sud	Crozier, Bruce (L)	Nipissing	Harris, Hon / L'hon Michael D. (PC) Premier and President of the Executive Council / premier ministre et président du Conseil exécutif
Etobicoke-Humber	Ford, Douglas B. (PC)	Norfolk	Barrett, Toby (PC)
Etobicoke-Lakeshore	Kells, Morley (PC)	Northumberland	Galt, Doug (PC)
Etobicoke-Rexdale	Hastings, John (PC)	Oakville South / -Sud	Carr, Gary (PC)
Etobicoke West / -Ouest	Stockwell, Chris (PC)	Oakwood	Colle, Mike (L)
Fort William	McLeod, Lyn (L) Leader of the Opposition / chef de l'opposition	Oriole	Caplan, Elinor (L)
Fort York	Marchese, Rosario (ND)	Oshawa	Ouellette, Jerry J. (PC)
Frontenac-Addington	Vankoughnet, Bill (PC)	Ottawa Centre / -Centre	Patten, Richard (L)
Grey-Owen Sound	Murdoch, Bill (PC)	Ottawa East / -Est	Grandmaître, Bernard (L)
Guelph	Elliott, Hon / L'hon Brenda (PC) Minister of Environment and Energy / ministre de l'Environnement et de l'Énergie	Ottawa-Rideau	Guzzo, Garry J. (PC)
Halton Centre / -Centre	Young, Terence H. (PC)	Ottawa South / -Sud	McGuinty, Dalton (L)
Halton North / -Nord	Chudleigh, Ted (PC)	Ottawa West / -Ouest	Chiarelli, Robert (L)
Hamilton Centre / -Centre	Christopherson, David (ND)	Oxford	Hardeman, Ernie (PC)
Hamilton East / -Est	Agostino, Dominic (L)	Parkdale	Ruprecht, Tony (L)
Hamilton Mountain	Pettit, Trevor (PC)		
Hamilton West / -Ouest	Ross, Lillian (PC)		

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Parry Sound	Eves, Hon / L'hon Ernie L. (PC) Deputy Premier, Minister of Finance, government House leader / vice-premier ministre, ministre des Finances, leader parlementaire du gouvernement	Scarborough North / -Nord	Curling, Alvin (L)
Perth	Johnson, Bert (PC)	Scarborough West / -Ouest	Brown, Jim (PC)
Peterborough	Stewart, R. Gary (PC)	Simcoe Centre / -Centre	Tascona, Joseph N. (PC)
Port Arthur	Gravelle, Michael (L)	Simcoe East / -Est	McLean, Hon / L'hon Allan K. (PC) Speaker / Président
Prescott and Russell / Prescott et Russell	Lalonde, Jean-Marc (L)	Simcoe West / -Ouest	Wilson, Hon / L'hon Jim (PC) Minister of Health / ministre de la Santé
Prince Edward-Lennox- South Hastings / Prince Edward-Lennox- Hastings-Sud	Fox, Gary (PC)	Sudbury	Bartolucci, Rick (L)
Quinte	Rollins, E.J. Douglas (PC)	Sudbury East / -Est	Martel, Shelley (ND)
Rainy River	Hampton, Howard (ND)	Timiskaming	Ramsay, David (L)
Renfrew North / -Nord	Conway, Sean G. (L)	Victoria-Haliburton	Hodgson, Hon / L'hon Chris (PC) Minister of Natural Resources, Minister of Northern Development and Mines / ministre des Richesses naturelles, ministre du Développement du Nord et des Mines
Riverdale	Churley, Marilyn (ND)	Waterloo North / -Nord	Witmer, Hon / L'hon Elizabeth (PC) Minister of Labour / ministre du Travail
S-D-G & East Grenville / S-D-G et Grenville-Est	Villeneuve, Hon / L'hon Noble (PC) Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales, ministre délégué aux Affaires francophones	Welland-Thorold	Kormos, Peter (ND)
St Andrew-St Patrick	Bassett, Isabel (PC)	Wellington	Arnott, Ted (PC)
St Catharines	Bradley, James J. (L)	Wentworth East / -Est	Doyle, Ed (PC)
St Catharines-Brock	Froese, Tom (PC)	Wentworth North / -Nord	Skarica, Toni (PC)
St George-St David	Leach, Hon / L'hon Al (PC) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement	Willowdale	Harnick, Hon / L'hon Charles (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Sarnia	Boushy, Dave (PC)	Wilson Heights	Kwinter, Monte (L)
Sault Ste Marie / Sault-Sainte-Marie	Martin, Tony (ND)	Windsor-Riverside	Cooke, David S. (ND)
Scarborough-Agincourt	Phillips, Gerry (L)	Windsor-Sandwich	Pupatello, Sandra (L)
Scarborough Centre / -Centre	Newman, Dan (PC)	Windsor-Walkerville	Duncan, Dwight (L)
Scarborough East / -Est	Gilchrist, Steve (PC)	York Centre / -Centre	Palladini, Hon / L'hon Al (PC) Minister of Transportation / ministre des Transports
Scarborough-Ellesmere	Mushinski, Hon / L'hon Marilyn (PC) Minister of Citizenship, Culture and Recreation / ministre des Affaires civiques, de la Culture et des Loisirs	York East / -Est	Parker, John L. (PC)
		York Mills	Turnbull, David (PC)
		York-Mackenzie	Klees, Frank (PC)
		York South / -Sud	Rae, Bob (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
		Yorkview	Sergio, Mario (L)

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

**STANDING COMMITTEES OF THE LEGISLATIVE ASSEMBLY
COMITÉS PERMANENTS DE L'ASSEMBLÉE LÉGISLATIVE**

Administration of justice / Administration de la justice

Chair / Président: Gerry Martiniuk
Vice-Chair / Vice-Président: Ron Johnson
Marion Boyd, Robert Chiarelli, Sean G. Conway,
Ed Doyle, Garry J. Guzzo, Howard Hampton,
Tim Hudak, Ron Johnson, Frank Klees,
Gary L. Leadston, Gerry Martiniuk, John L. Parker,
David Ramsay, David Tilson
Clerk / Greffière: Donna Bryce

Estimates / Budgets des dépenses

Chair / Président: Alvin Curling
Vice-Chair / Vice-Président: Joseph Cordiano
Toby Barrett, Gilles Bisson, Jim Brown,
Michael A. Brown, John C. Cleary, Tony Clement,
Joseph Cordiano, Alvin Curling, Morley Kells,
Tony Martin, E.J. Douglas Rollins, Lillian Ross,
Frank Sheehan, Wayne Wettlaufer
Clerk / Greffière: Tannis Manikel

**Finance and economic affairs /
Finances et affaires économiques**

Chair / Président: Ted Chudleigh
Vice-Chair / Vice-Président: Tim Hudak
Ted Arnott, Jim Brown, Annamarie Castrilli,
Ted Chudleigh, Douglas B. Ford, Tim Hudak,
Frances Lankin, Monte Kwinter, Gerry Martiniuk,
Gerry Phillips, Rob Sampson, Tony Silipo,
Joseph Spina, Wayne Wettlaufer
Clerk / Greffier: Franco Carrozza

General government / Affaires gouvernementales

Chair / Président: Jack Carroll
Vice-Chair / Vice-Président: Bart Maves
Jack Carroll, Harry Danford, Jim Flaherty,
Bernard Grandmaître, Ernie Hardeman, Morley Kells,
Rosario Marchese, Bart Maves, Sandra Pupatello,
Mario Sergio, R. Gary Stewart, Joseph N. Tascona,
Len Wood, Terence H. Young
Clerk / Greffière: Tonia Grannum

Government agencies / Organismes gouvernementaux

Chair / Président: Floyd Laughren
Vice-Chair / Vice-Président: Tony Martin
Rick Bartolucci, Bruce Crozier, Douglas B. Ford,
Gary Fox, Michael Gravelle, Bert Johnson, Peter Kormos,
Floyd Laughren, Gary L. Leadston, Tony Martin,
Dan Newman, Peter L. Preston, Lillian Ross, Bob Wood
Clerk / Greffière: Tannis Manikel

Legislative Assembly / Assemblée législative

Chair / Président: Ted Arnott
Vice-Chair / Vice-Président: John Hastings
Ted Arnott, Rick Bartolucci, Dave Boushy, David S. Cooke,
Carl DeFaria, Tom Froese, Bill Grimmett, John Hastings,
Ron Johnson, Frank Michlash, Gilles E. Morin,
John R. O'Toole, Tony Silipo, R. Gary Stewart
Clerk / Greffière: Lisa Freedman

Ombudsman

Chair / Président: John L. Parker
Vice-Chair / Vice-Président: Tom Froese
Elinor Caplan, Carl DeFaria, Ed Doyle, Barbara Fisher,
Tom Froese, Doug Galt, Pat Hoy, Leo Jordan,
Jean-Marc Lalonde, Rosario Marchese, John L. Parker,
Chris Stockwell, Bill Vankoughnet, Len Wood
Clerk / Greffier: Todd Decker

Public accounts / Comptes publics

Chair / Président: Dalton McGuinty
Vice-Chair / Vice-Président: Mike Colle
Dominic Agostino, Marcel Beaubien, Dave Boushy,
Gary Carr, Mike Colle, Bruce Crozier, Gary Fox,
Steve Gilchrist, John Hastings, Shelley Martel,
Dalton McGuinty, Gilles Pouliot, Toni Skarica,
Bill Vankoughnet
Clerk / Greffier: Todd Decker

**Regulations and private bills /
Règlements et projets de loi privés**

Chair / Président: Toby Barrett
Vice-Chair / Vice-Président: Bruce Smith
Toby Barrett, Gilles Bisson, Dave Boushy, John Hastings,
John R. O'Toole, Trevor Pettit, Gilles Pouliot,
Sandra Pupatello, E.J. Douglas Rollins, Tony Ruprecht,
Mario Sergio, Derwyn Shea, Frank Sheehan, Bruce Smith
Clerk / Greffière: Lisa Freedman

**Resources development /
Développement des ressources**

Chair / Président: Steve Gilchrist
Vice-Chair / Vice-Présidente: Barbara Fisher
John R. Baird, Jack Carroll, David Christopherson,
Ted Chudleigh, Marilyn Churley, Dwight Duncan,
Barbara Fisher, Steve Gilchrist, Pat Hoy,
Jean-Marc Lalonde, Bart Maves, Bill Murdoch,
Jerry J. Ouellette, Joseph N. Tascona
Clerk / Greffier: Douglas Arnott

Social development / Affaires sociales

Chair / Président: Richard Patten
Vice-Chair / Vice-Président: John Gerretsen
Dominic Agostino, Janet Ecker, John Gerretsen,
Michael Gravelle, Helen Johns, Leo Jordan,
Floyd Laughren, Julia Munro, Dan Newman,
Richard Patten, Trevor Pettit, Peter L. Preston,
Bruce Smith, Bud Wildman
Clerk / Greffière: Lynn Mellor

CONTENTS

Monday 27 November 1995

MEMBERS' STATEMENTS

Health care funding	
Mr Morin	1017
White Ribbon Campaign	
Mr Silipo	1017
Downtown Friendship Circle	
Mr Boushy	1017
Ontario drug benefit program	
Mrs Caplan	1017
The Speaker	1018
Social assistance	
Mr Martin	1018
Isadore and Belle Black	
Mr Stewart	1018
Public libraries	
Mr Gerretsen	1018
Workers' Compensation Board	
Mr Bisson	1018
Pen Centre	
Mr Froese	1019

STATEMENTS BY THE MINISTRY AND RESPONSES

Ontario public service	
Mr David Johnson	1019
Mr Cordiano	1020
Mr Phillips	1020
Mr Martin	1020

ORAL QUESTIONS

Hospital financing	
Mrs McLeod	1021
Mr Wilson	1021
Services for abused women	
Mrs McLeod	1022
Mr Tsubouchi	1023, 1029
Ms Churley	1029
Tax reduction	
Mr Rae	1024
Mr Saunderson	1024
Development charges	
Mr Gerretsen	1025
Mr Leach	1025
White Ribbon Campaign	
Ms Churley	1025
Mr Tsubouchi	1025

Tourism reservation network

Mr Maves	1026
Mr Saunderson	1026

Bus transportation

Mr Colle	1026
Mr Palladini	1026, 1027
Mr Miclash	1026
Mr Stewart	1027

Public sector restructuring

Mr Cooke	1027
Mr David Johnson	1027

Alfred College of Agriculture and Food Technology

Mr Lalonde	1028
Mr Villeneuve	1028

Workers' Compensation Board

Mr Christopherson	1028
Mr Jackson	1028

Justice system

Mr Bert Johnson	1028
Mr Runciman	1028

Physician shortage

Mr Bradley	1029
Mr Wilson	1029

PETITIONS

Hospital restructuring

Mr Kwinter	1030
Mr Colle	1032
Mr Gerretsen	1032

Junior kindergarten

Mr Bisson	1030, 1032
-----------------	------------

Child care

Mr Arnott	1030
Mr Hudak	1031
Mr Bradley	1031
Mr Gravelle	1032

Amalgamation of school boards

Mr Miclash	1030
------------------	------

Tax reduction

Ms Churley	1031
------------------	------

Highway safety

Mr Ramsay	1031
Mr Gilchrist	1031
Mr Miclash	1031

Privatization of correctional facilities

Mr Bisson	1031
-----------------	------

Provincial deficit and debt

Mr Shea	1031
---------------	------

Education financing

Mr Hoy	1031
--------------	------

Vehicle licensing office

Mr Hoy	1032
--------------	------

SECOND READINGS

Advocacy, Consent and Substitute Decisions Statute Law Amendment Act, 1995, Bill 19, Mr Harnick

Ms Castrilli	1032, 1037
Mr Tilson	1036
Mrs Marland	1036
Mrs Johns	1036, 1040
Mrs Caplan	1037, 1053
Mr Marchese	1041
Mr Bisson	1048
Mr Cooke	1051, 1053
Mr Pouliot	1053
Agreed to	1054

OTHER BUSINESS

Visitors

The Speaker	1019
-------------------	------

Parliamentary procedure

The Speaker	1019
-------------------	------

Visitor

The Speaker	1030
-------------------	------

TABLE DES MATIÈRES

Lundi 27 novembre 1995

DEUXIÈME LECTURE

Loi de 1995 modifiant des lois en ce qui concerne l'intervention, le consentement et la prise de décisions au nom d'autrui, projet de loi 19, M. Harnick	
Adoptée	1054

